

50 Ashgrove Road, Bromley, BR1 4JW

Planning Statement

Northstar 2000 Ltd

27th July 2018

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For and on behalf of bptw partnership				

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1.0 Introduction

- 1.1 This Statement is submitted in support of a full planning application on behalf of the Applicant, Northstar 2000 Ltd., for the demolition of the existing office building and redevelopment of the Site to provide four new dwellings comprising two semi-detached houses and two flats at 50 Ashgrove Road, BR1 4JW. A Site Location Plan is included at **Appendix 1**.
- 1.2 The proposed description of development is as follows:
- Full planning permission for the demolition of the existing office building and construction of 4 new dwellings with associated vehicle and cycle parking, recycling and refuse facilities.*
- 1.3 This application constitutes a re-submission of application ref DC/17/100897 following the refusal of planning permission and the issuing of the Inspectors decision to the subsequent appeal.
- 1.4 The reasons for refusal and the comments made by the Inspector have been addressed within this Planning Statement and the scheme is now considered to be an acceptable proposal for the reason put forward within this Statement.
- 1.5 The Site is located in the Downham ward of the London Borough of Lewisham (LB Lewisham).
- 1.6 The Site currently contains a single-storey building, which was previously in use as a Class B1 office. However, the building has now been vacant since September 2016. The total floor area of the building is approximately 180m².
- 1.7 The remainder of the Site was in previously in use as a scaffolders yard (Class B8 use). The operation of this yard ceased in September 2014 however the lawful use of the area is still considered to be B8 (Storage and Distribution).
- 1.8 The existing office building and scaffolders yard, which are in a poor and deteriorating condition, have now been marketed unsuccessfully for 3 years, since July 2015 with further anecdotal evidence suggesting the marketing began in December 2014.
- 1.9 The lack of interest in the site is largely as a result of the buildings setting within a residential area and the site's lack of connectivity, the poor state of the building and the prohibitive costs of refurbishment have also contributed to a lack of interest from applicants.
- 1.10 As the Site lies within a predominantly residential area, we consider the redevelopment of the Site for residential use to be appropriate in this location.
- 1.11 The development proposed as part of this application seeks the demolition of an underutilised office building in a predominantly residential location to provide 2 x 4-bedroom houses and 2 x 2-bedroom flats, which will contribute towards meeting the Borough's housing needs. The proposed scheme also aims to improve the appearance of the Site by providing a high-quality development which is reflective of the character and setting of the surrounding area.
- 1.12 This scheme has been developed following extensive pre-application discussions with Planning Officers from LB Lewisham in October 2016.
- 1.13 Following the refusal of the previous planning application (ref. DC/17/100897), the new dwellings are now proposed with the inclusion of sprinklers in order to address previous concerns over fire safety.

Submission Documents

- 1.14 This Planning Statement should be read in conjunction with the following reports, submitted as part of the application:

REPORT TITLE	AUTHOR
Completed Application Form and CIL Form	bptw planning
Arboricultural Report	Sylvanarb
Archaeological Assessment	AOC Archaeology Group
Conditions Survey, incl. Asbestos Report	Court Buckingham Ltd.
Design & Access Statement inc. landscaping details and LTH Plans	March Design Associates
Land Contamination Assessment	Terragen Environmental Consultants Ltd.
Marketing Report	KALMARs Commercial
Sustainability Statement	SRS Partnership
Transport Statement	ADL Transportation Ltd.
Living Roof Details	Bauder
Fire Engineering Technical Design Note	BBSeven

- 1.15 This application is also supported by the following drawings, prepared by March Design Associates:

DRAWING NO.	DESCRIPTION
	Site Location Plan
1629/01	Existing Site Survey
EX.01	Existing Plans, Sections, and Elevations
P.51	Proposed Site Plan and Cross Sections
P.52	Proposed Site Lighting Drainage Block Plan and Materials
P.53	Proposed Houses PSE
P.54	Proposed Maisonette Flats PSE
1629_01	Existing Site Survey

Structure of Planning Statement

- 1.16 This Statement is set out in the following sections:

- Section 2 describes the Site within the immediate local context;
- Section 3 identifies the relevant planning history of the site;
- Section 4 sets out the proposed development in greater detail;
- Section 5 identifies the relevant national, regional, and local policy context;
- Section 6 addresses the material planning considerations of the proposal; and
- Section 7 draws together the conclusions of this Statement.

- 1.17 The appendices referred to in the text are included at the end of this Statement.

2.0 Site and Surrounding Area

- 2.1 The Site is located in the Downham ward near the southern boundary of LB Lewisham where it meets the outer London Borough of Bromley. The Site is considered to be in an 'Suburban Setting'.
- 2.2 The location and extent of the Site (approximately 0.12ha) are set out in **Figure 1** below:



Figure 1. Aerial map highlighting the boundary of the Site at 50 Ashgrove Road.

- 2.3 The Site currently comprises a single-storey office building and a former scaffolders yard. The office building has been vacant since September 2016, and the scaffolders yard has not been in commercial use since September 2014, though its lawful use is still considered to be Class B8 (Storage and Distribution). Both the office building and the scaffolders yard are in a state of disrepair, which is discussed in further detail in the accompanying Conditions Survey prepared by Court Buckingham Ltd.
- 2.4 The Site is bounded to the north by the rear garden of the nearby house at No. 46 Ashgrove Road. The pattern of long and narrow rear gardens continues in this direction along the length of Ashgrove Road.
- 2.5 To the east of the Site is the rear garden associated with No. 48 Ashgrove Road. Further east is Ashgrove Road itself, beyond which lies residential development mostly comprising 2-storey semi-detached and terraced housing.
- 2.6 To the south the Site is bounded by The Ashgrove Estate, which comprises two main warehouses with a number of units in business and industrial use. Further south is the Millwall Football Club Training Ground, which is designated as an Urban Green Space, an area of Metropolitan Open Land (MOL), and as part of the Borough's Green Chain network. The northern part of the Training Ground is also identified as a Site of Importance for Nature Conservation (SINC).
- 2.7 The Site is bounded to the west by the Ten-Em-Bee Sports Development Centre and playing fields, which is also designated as an area of MOL and part of the Green Chain network.

- 2.8 The Site has a Public Transport Accessibility Level (PTAL) score of 1b (Very Poor). 50 Ashgrove Road is served by two nearby bus stops (Routes 208 Lewisham Station-Orpington/Perry Hall Road; and 320 Biggin Hill Valley-Catford Bridge Station), both of which are within a 5-minute walk of the Site.
- 2.9 The Site is accessed via a private between Nos. 48 and 52 Ashgrove Road. No dedicated vehicle parking is currently provided on-site, and the Site is not within a Controlled Parking Zone (CPZ).
- 2.10 The Site does not contain any statutorily or locally listed buildings and is not located within a Conservation Area, however it is within an Area of Archaeological Priority.
- 2.11 The Site is located within Flood Zone 1, which is the area at lowest risk of flooding from sea and river sources.
- 2.12 With regards to local amenities, Downham (District) Town Centre lies approximately 600m to the north of the site, and contains a mix of retail frontage (Class A1 use) and restaurants and cafes (Class A3 use). A smaller area of retail frontage lies to the northern end of Ashgrove Road, approximately 250m from the Site.
- 2.13 In terms of public open spaces, Beckenham Place Park lies approximately 15m to the west and includes both the Common and Summerhouse playing fields. This park has a number of publicly-accessible pathways and contains part of the Ravensbourne River, an 18-hole golf course, and large wooded area.

3.0 Relevant Planning History

- 3.1 An outline application (LPA Ref. DC/05/58796/FT) was registered by the Council on 20th January 2005 but later withdrawn by the applicant on 17th May 2005 for the following description of development:

The demolition of the existing building on the site of 50 Ashgrove Road, Bromley, Kent and the construction of 1 x 2-bedroom and 4 x 3-bedroom houses, the provision of parking for 9 cars, together with a bin collection point on amenity land to the side of 52 Ashgrove Road.

- 3.2 A subsequent application for full planning permission (LPA Ref. DC/08/70221/X) was refused on 15th January 2009 for the following description of development:

The demolition of the existing building at 50 Ashgrove Road, Bromley, Kent and the construction of 1 x 2-bedroom and 6 x 3-bedroom, two-storey, plus roof space, houses with work space on the ground floors, together with associated landscaping and the provision of refuse stores and 10 car parking spaces.

- 3.3 The following reasons of refusal were given by the Council:

- 1. The proposal is considered to represent an over-development of the backland site, with the unacceptable loss of a section of existing garden to the rear of no. 46 Ashgrove Road, together with the encroachment of a further layer of employment related development upon the residential setting, impacting detrimentally upon the amenities of neighboring occupiers and the character of the surrounding area, contrary to Policy HSG 8 Backland and In-fill Development in the adopted Unitary Development Plan (July 2004).*
- 2. The scale of development proposed and the resulting level of activity, the narrow width of the proposed access onto the site, inadequate pedestrian footways and the potential conflict between vehicle maneuvering and pedestrian routes would be likely to cause additional parking pressures on Ashgrove Road, detrimental to the amenities of neighboring occupiers and would create conditions prejudicial to the safety of pedestrians and other visitors to the site, contrary to policies HSG 8 Backland and In-fill Development and TRN 17 Protecting Cyclists and Pedestrians of the Council's adopted Unitary Development Plan (2004).*
- 3. The proposed siting and three-storey height of units 1 & 7 would appear overbearing and discordant, positioned within close proximity of the existing dwellings at nos. 44, 46 & 48 Ashgrove Road, resulting in an increased sense of enclosure, whilst the upper floors of both units would be likely to overlook the neighboring garden areas, contrary to Policies URB 3 Urban Design, HSG 4 Residential Amenity, HSG 5 Layout and Design of New Residential Development and HSG 8 Backland and In-fill Development in the adopted Unitary Development Plan (July 2004).*
- 4. The proposed roof terraces to units 6 & 7, by reason of their elevated position and relationship to adjoining houses and gardens, would result in overlooking and loss of privacy to residents at 46 & 48 Ashgrove Road, contrary to Policies URB 3 Urban Design, HSG 4 Residential Amenity and HSG 8 Backland and Infill Development of the adopted Unitary Development Plan (July 2004).*

5. *Insufficient evidence has been submitted that supports the viability of live/work units in this particular area, contrary to policy EMP 4 Development Outside Defined Employment Areas of the adopted Unitary Development Plan (2004).*
 6. *The size and depth of the garden spaces to the rear of units 1, 2, 3, 6 and 7 would be wholly inadequate respect of the residential element of the scheme, failing to meet with the minimum 9 metre depth requirement as stated in policy HSG 7 Gardens in the adopted Unitary Development Plan (July 2004).*
 7. *In light of the narrow width of the access path, refuse trucks would be unable to enter the site, therefore, the positioning of the proposed refuse storage and disposal would be unacceptable, contrary to Policies URB 3 Urban Design, HSG 4 Residential Amenity, HSG 5 Layout and Design of New Residential Development and HSG 8 Backland and In-fill Development in the adopted Unitary Development Plan (July 2004).*
- 3.4 An application for a change of use from Office (Class B1) to Dwellinghouses (Class C3) under Prior Approval (LPA Ref. DC/14/87248) was refused on 9th June 2014 for the following description of development:
- Prior Approval for a change of use from office falling within Use Class B1(a) to provide 2 x 1 bed flats (C3) at 50 Ashgrove Road, Bromley BR1.*
- 3.5 The application was later brought to appeal (PINS Ref. APP/C5690/A/14/2224646), where it was dismissed by the Planning Inspector in December 2014 for the following reasons:
- The narrow width of the access road and the lack of provision of refuge for pedestrians;
 - The lack of access for emergency vehicles to the site; and
 - The lack of a suitable location for refuse collection.
- 3.6 Following the widening of the access road, a second application for a change of use under Prior Approval (LPA Ref. DC/15/91775) was refused on 8th June 2015 for the same description of development. This application was refused on the following grounds:
1. *The application site includes a scaffolders yard (B8). This does not fall within use class B1(a). The application therefore does not comply with Class O of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.*
 2. *The transport and highways impact of the proposed change of use is considered unacceptable due to the conflict between the B8 use to the rear of the site and the proposed C3 residential. It is considered this conflict will significantly compromise safety for future potential occupiers of the C3 residential use. This is contrary to Class Part 3 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.*
- 3.7 This application was subsequently brought to appeal (PINS Ref. APP/C5690/W/15/3128688) and was also dismissed on 30th December 2015. The Planning Inspector dismissed the appeal on the grounds that the area included in the site boundary for the prior approval application did not solely comprise Class B1(a) Office use and therefore did not qualify for permitted development under Class O of the *Town and Country Planning (General Permitted Development) (England) Order (The GPDO)*, as amended.
- 3.8 A full planning application (ref. DC/17/100897) was refused by LB Lewisham on 3rd August 2017 for the following description of development:

The demolition of the building at 50 Ashgrove Road BR1 and the construction of 2 two bedroom maisonettes and 2 four bedroom houses, together with associated landscaping and the provision of refuse stores, car parking and cycle spaces.

3.9 The application was refused for the following reasons:

1. *The principle of residential use cannot be determined as the application fails to sufficiently justify the loss of the established employment site, contrary to Core Strategy Policy 5: Other employment locations (2011), and DM Policy 11 Other employment locations of the Development Management Local Plan (November 2014).*
2. *The accessway into the site, by reason of its length and limited width would fail to provide sufficient space for two vehicles to pass, whilst the width of the pedestrian footpath would be inadequate. Subsequently, the proposal would create potential pedestrian and vehicular conflict, and would fail to provide sufficient access for a fire emergency vehicle, contrary to Policy 3.5 Quality and Design of Housing Development of the London Plan (adopted March 2015, incorporating March 2016 Minor Alterations), Policy 14 Sustainable movement and transport of the Core Strategy (2011), and DM Policy 29 Car parking, DM Policy 30 Urban design and local character, and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).*
3. *The proposed waste and refuse storage provision for the 6 proposed dwellings, by reason of its design and location is likely have a detrimental impact on the amenities of the occupiers No. 48 Ashgrove Road though noise and disturbance contrary to DM Policy 32 Housing design, layout and space standards, of the Development Management Local Plan 2014.*

3.10 The Officer's Report associated with the abovementioned application can be found in **Appendix 4**.

3.11 An appeal on the abovementioned refusal was submitted (ref. APP/C5690/W/17/3189975) and subsequently dismissed by an Inspector on 19th June 2018. A summary of the Inspectors comments is provided below. The full Inspectors decision can be seen in **Appendix 3**.

1. Access

In regard to the suitability of the width of the accessway, the Inspector noted that with the proposal to use imprint paving to distinguish between an area for pedestrians and vehicles, the width of the access road should not be considered insufficient as to warrant withholding planning permission on these grounds.

In regard to the ability for a fire appliance to turn on site and exit in forward gear, the Inspector was unconvinced that this could take place and therefore dismissed the appeal on this basis.

This revised application outlines how this issue has been addressed and is in accordance with BS9991:2015.

2. Employment Land

The Inspector agreed with the appellant's case demonstrating that the loss of the B1 and B8 use was justified and acceptable in regard to planning policy. The quality of marketing evidence and length of time the site had been marketed was considered suitable and it was agreed that on the basis of the information submitted, the application met the requirements of Policy CS5 and DM11 and should be considered acceptable in principle.

I was also noted that the Written Ministerial Statement 2016 which sets out that tariff style contributions should not be sought from small scale development, constitutes the most up to date planning policy and should be given material weight. Accordingly, there is insufficient evidence to support the Council's requirement for a payment to be made to mitigate the loss of employment floorspace.

3. Living Conditions

In regard to noise generated by users of the refuse collection point located along Ashgrove Road, the Inspector agreed with the appellant that this would not lead to a significant source of noise or disturbance for residents at 48 Ashgrove Road. Accordingly, the position of a refuse collection point in this location is considered acceptable.

4.0 Pre-application Discussions

- 4.1 A pre-application discussion for the previous scheme (ref. DC/17/1008907) were held on-site on 31st October 2016, which was attended by Joe Roberts (Planning Officer) and Tom Watts (Design Officer) from LB Lewisham. The design of the scheme in this revised application has remained largely the same aside from some small amendments to address Inspector comments which are outlined in the following section.
- 4.2 The comments below therefore continue to give a good reflection of the design evolution of this proposed scheme.
- 4.3 The scheme which was presented proposed a short row of 3 houses to the rear of the site and a 2-storey block containing two flats to the front of the site.
- 4.4 The pre-application advice response from planning officers was received on 30th November 2016, and set out the following comments:

Principle of Development

- Officers will expect any future applications to demonstrate why the existing building is considered to be dilapidated, which may include the provision of a structural report. This stems from a recent visit by the Planning Inspector (associated with PINS Ref. APP/C5690/W/15/3128688), who claimed in their report that the site was still in use as a commercial yard (Class B8 use) and that the office building was still in active use. Evidence of unsuccessful marketing of the office space must be submitted as part of any future application.

Design, Scale and Massing

- Officers consider that three dwellings to the rear of the site represents an overdevelopment, and that two semi-detached dwellings would be more appropriate given the width of the plot. It is also considered inappropriate to reference the built form typology of the houses on Ashgrove Road, and that a unique, contemporary style should be used instead.

Impact on Neighbouring Amenities

- Officers strongly urge that the siting, scale, and height of the proposed buildings be reconsidered in order to avoid appearing overbearing in relation to neighbouring properties. It is considered by officers that heights of 3-storeys would be excessive in this location where 2-storeys is the prevailing height. Care must also be taken to avoid overlooking onto neighbouring properties when reorganising the layout of the site.

Standard of Accommodation

- Officers consider the proposed size and layout of individual units to be acceptable. However, it should be clarified in any future applications whether the proposed flat at first floor level will have access to the proposed rear garden. A balcony with a total area of 3.4m² does not meet the minimum standards as set out in the London Plan (2016, with consolidations since 2011).

Transport and Parking

- While the proposed development provides an appropriate quantum of car parking for a site with a low PTAL score (i.e. one space per unit), officers remain concerned that there is an inadequate level of access for emergency service vehicles and a lack of parking for visitors. The Highways Officer has therefore recommended that a swept-path analysis and an up-to-date parking survey be submitted as part of any future application.

Refuse and Recycling

- Officers consider the proposed location of a dedicated refuse collection point in part of the front garden of No. 48 Ashgrove Road to be acceptable in principle.

4.5 A copy of the full pre-application response is provided attached at **Appendix 2**.

5.0 Proposed Development

5.1 This Section provides a description of the proposed development. Further details of the proposal are set out in the accompanying Design & Access Statement prepared by March Design Associates.

5.2 This is an application for full planning permission for the redevelopment of the site at 50 Ashgrove Road, Bromley, BR1 4JW. The proposed description of development is as follows:

Full planning permission for the demolition of existing office building and construction of 4 new dwellings with associated vehicle and cycle parking, recycling and refuse facilities.

5.3 As outlined in the previous section, this scheme has been strongly informed by pre-application discussions with Planning Officers from LB Lewisham.

Demolition

5.4 Full planning permission is sought for the demolition of the existing office building. The Site is not within a Conservation Area and the office building is not statutorily or locally listed, and is not considered to be of any particular architectural merit. The demolition of this building is therefore appropriate in this context.

Layout, Massing and Design

5.5 The Site consists of a rectangular plot of land which is accessed by a private road. This connects to the main public road between Nos. 48 and 52 Ashgrove Road.

5.6 The proposed development comprises a 2-storey building with a low-pitched roof profile and a deep plan types at the rear of the Site comprising two semi-detached 4-bedroom houses, and a 2-storey flat block in a similar contemporary style in the centre of the Site comprising two 2-bedroom maisonettes with slightly curved roof profiles.

5.7 A recessed central area is proposed as part of both blocks for the location of a total of 14 photovoltaic (PV) panels, in order to reduce their visual impact and to achieve the optimum 30° degree angle and south-facing aspect for maximum performance and output. Each block will also be equipped with green roof technology.

5.8 The roof profiles of the proposed dwellings have been designed to reflect the existing industrial uses located to the south of the Site, and the proposed materials palette has been selected to complement the surrounding building typologies whilst retaining a unique, contemporary style.

Residential Provision

5.9 The proposed development comprises the following:

- 2 x 4 Bedroom 8 Person houses; and
- 2 x 2 Bedroom 4 Person maisonettes.

5.10 The proposed development comprises a total of 20 habitable rooms.

5.11 The provision of 4 units with a total of 20 habitable rooms on a site with an area of 0.12ha represents a proposed density of approximately 41 units per hectare (191 habitable rooms per

hectare). This complies with the recommended density range set out under **Policy 3.4 (Optimising Housing Potential)** of the London Plan (2016).

Housing Quality Standards

- 5.12 The proposed dwellings are designed to meet the minimum internal space standards as set out in **Policy 3.5 (Quality and Design of Housing Developments)** of the London Plan (2016, with consolidations since 2011).
- 5.13 Each 4-bedroom 8-person house has a Gross Internal Area (GIA) of 155m², and each 2-bedroom 4-person maisonette has a GIA of 83m², which exceeds the minimum standards set out in **Policy 3.5** of the London Plan.
- 5.14 An adequate amount of private outdoor amenity space, in line with **Standard 26** of the Mayor's Housing SPG (2016), has been provided to serve the proposed houses in the form of private gardens. Each of the proposed maisonettes would also have access to a garden area comprising an adequate amount of private outdoor amenity space.
- 5.15 All of the proposed dwellings have been designed to meet **Building Regulation Part M4(2) – Accessible and Adaptable Dwellings** standards.
- 5.16 All of the proposed dwellings have been designed to comply with the Nationally Described Space Standard (NDSS).

Access, Parking and Refuse/Recycling Storage

- 5.17 Access to the Site is provided via a private road connecting to the main road between Nos. 48 and 52 Ashgrove Road. The width of this road is 4.5m and would be demarcated using imprint paving to provide a distinction of the pedestrian refuge. Details of the imprint paving are provided in **Appendix 5**.
- 5.18 A total of six car parking spaces would be provided as part of the development. This comprises two spaces associated with each house, and one space associated with each maisonette. This complies with the minimum standards set out in **Table 6.2 (Car Parking Standards)** of the London Plan (2016).
- 5.19 A total of eight cycle parking spaces would be provided, equivalent to two spaces per unit, which will be located within a secure shed in the private garden of each property. This complies with the minimum standards set out in **Table 6.3 (Cycle Parking Standards)** of the London Plan (2016).
- 5.20 Further details of the location of the cycle parking is provided within the supporting Design and Access Statement and on plan no. P.52 Proposed Site Lighting Drainage Block Plan and Materials.
- 5.21 Each dwelling will be provided with a secure refuse and recycling storage shed. Servicing and refuse collection will take place from Ashgrove Road from a bin collection point located to the south of the property at No. 48 Ashgrove Road.

Fire Safety

- 5.22 As further noted within the supporting Technical Note on Fire Engineering provided by BBSeven in support of this application, the proposed dwellings are to be fitted with sprinklers in accordance with BS9251:2014.

6.0 Planning Policy

- 6.1 All planning applications within LB Lewisham must be determined in accordance with the Local Development Framework, which currently comprises the London Plan (2016), the LB Lewisham Core Strategy (2011), the LB Lewisham Development Management Local Plan (2014) and other adopted and emerging policy documents.
- 6.2 Consideration must also be given to the current National Planning Policy Framework (2018).
- 6.3 With regards to site-specific policy designations, the Site is within an Area of Archaeological Priority as identified on the LB Lewisham Local Plan Policies Map (2015).
- 6.4 A summary of the key planning policies relevant to this application are set out below.

National Planning Policy

National Planning Policy Framework (2018)

- 6.5 The updated National Planning Policy Framework (NPPF) was published by the Government on 24th July 2018. It sets out the Government's national policies for planning issues in a single, comprehensive document.

- 6.6 Paragraph 11 states that:

Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking, this means approving development proposals that accord with an up-to date development plan without delay.

- 6.7 Paragraph 38 states that:

Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Technical Housing Standards: Nationally Described Space Standard (2015)

- 6.8 National Space Standards were brought into effect in March 2015, and outline the minimum space standards required for residential dwellings.

Ministerial Statement on Code for Sustainable Homes

- 6.9 A Written Ministerial Statement made on 26th March 2015 announced the abolition of the Code for Sustainable Homes. However, where authorities have existing policies on access, internal space, or water efficiency, these elements of the Code for Sustainable Homes standards still need to be met.

Ministerial Statement for Affordable Housing Contributions

- 6.10 In November 2014, a Written Ministerial Statement was issued requiring all new developments of ten residential units or fewer (and with a gross floorspace not exceeding 1,000m²) to be exempted from providing on-site and off-site affordable housing and tariff-based contributions.
- 6.11 This policy position has been upheld following a challenge to the decision which was overturned in the High Court of Appeals in May 2016. However, the Planning Inspectorate have clarified that while the Written Ministerial Statement should be given material weight, this should not automatically override the policies contained Local Plan. A robust evidence base is therefore required in order for Local Planning Authorities to enforce affordable housing contributions from small sites.
- 6.12 The LB Lewisham Local Development Framework does not seek affordable housing contributions from small sites of ten units or fewer.

Regional Planning Policy

The London Plan (March 2016)

- 6.15. The London Plan provides an up-to-date strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development and growth of London over the next 20 to 25 years.
- 6.16. The following are considered to be key relevant policies in regard to this application.
- 6.17. **Policy 3.3 (Increasing Housing Supply)** states that Boroughs should “seek to achieve and exceed the relevant minimum borough annual average housing target” (1,385 new homes per year across Lewisham) which will enhance the environment, improve housing choice and affordability and provide better quality accommodation for Londoners.
- 6.18. **Policy 3.4 (Optimising Housing Potential)** states that “Development should optimise housing output for different types of location within the relevant density range”.
- 6.19. Given that the Site is located within an area dominated by semi-detached, lower density developments as defined in the London Plan. The site has a Public Transport Accessibility Level (PTAL) rating of 1 (where 1 is the lowest and 6 is the highest). Policy 3.4 sets out that for a site in a suburban location with a PTAL of 1, the density range is 150-200 habitable rooms per hectare (hr/ha).
- 6.20. **Policy 3.5 (Quality and Design of Housing Developments)** states that the design of all new housing developments should enhance the quality of local places, taking into account physical context, local character, density, tenure, land use mix, and relationships with/provision of public, communal and open spaces.

Table 3.3 of the London Plan (2016) outlines the minimum space standards for residential dwellings in London. This has been set out below:

	Dwelling type (b) bedroom (p) persons-bedspaces	GIA sq m
Flats	1p	37
	1b2p	50
	2b3p	61
	2b4p	70
	3b4p	74
	3b5p	86
	3b6p	95
	4b5p	90
	4b6p	99
2 story houses	2b4p	83
	3b4p	87
	3b5p	96
	4b5p	100
	4b6p	107
3 storey houses	3b5p	102
	4b5p	106
	4b6p	113

- 6.21. **Policy 3.8 (Housing Choice)** states that new development should offer a range of housing choices, in terms of the mix of housing sizes and types. All new housing should be constructed to meet Lifetime Homes standards (now Building Regulations Part M4(2) – Accessible and Adaptable Dwellings).
- 6.22. **Table 6.3 (Cycle Parking Minimum Standards)** states that developments should provide secure, integrated, convenient and accessible cycle parking facilities in line with the minimum standards. One long-stay space should be provided for studios and 1-bedroom dwellings, and a minimum of two spaces for all other dwelling sizes. In addition, one space per 40 units should be provided for short-stay users.
- 6.23. **Table 6.2 (Car Parking Standards)** sets out maximum car parking standards. For 4-bedroom dwellings, a maximum of two spaces per dwelling is considered to be acceptable, and for 2-bedroom dwellings less than one space per dwelling should be provided.

Local Planning Policy

- 6.26. A review of the LB Lewisham Local Development Framework including the Core Strategy (2011), Development Management Local Plan (2014), and the Local Plan Proposals Map (2015) identifies that the Site is designated as an Area of Archaeological Priority, but is not subject to any other site-specific designations.

LB Lewisham Core Strategy (2011)

- 6.27. **Core Strategy Policy 1 (Housing Provision, Mix and Affordability)** states that the Council will seek an appropriate mix of dwelling types and sizes within a development, having regard to a number of factors including the character of the site and surrounding area, in particular the density and mix of any existing housing, access to private garden space for family-sized dwellings, and the location of shops, schools, and other services and infrastructure.

- 6.28. Point 7 of the above policy states that all new housing is to be built to Lifetime Homes standards (now Building Regulations Part M4(2) – Accessible and Adaptable Dwellings) and 10% of all housing is to be wheelchair accessible or easily adapted for those using a wheelchair (now Building Regulations Part M4(3) – Wheelchair User Dwellings) in accordance with the London Plan (2016).
- 6.29. **Core Strategy Policy 5 (Other Employment Locations)** states that:
- The Council will protect the scattering of employment locations throughout the Borough outside of Strategic Industrial Locations, Local Employment Locations and Mixed Use Employment Locations;
 - Employment land within Town Centres, which has the potential to contribute to a Major Town Centre, District Hub, a Local Hub, or other cluster of commercial and business uses, should be recommended for retention in employment use; and
 - Other uses including retail, community and residential will be supported if it can be demonstrated that site specific conditions including site accessibility, restrictions from adjacent land uses, building age, business viability, and viability of redevelopment show that the site should no longer be retained in employment use.
- 6.30. **Core Strategy Policy 8 (Sustainable Design and Construction and Energy Efficiency)** states that the Council is committed to prioritising the reduction of the environmental impact of all new developments, with a focus on minimising the overall carbon dioxide emissions of the development while improving sustainability aspects through sustainable design and construction, to meet the highest feasible environmental standards during design, construction and occupation. Development of over 10 residential dwellings will also be required to provide a Sustainability and Energy Statement.
- 6.31. **Policy 14 (Sustainable Movement and Transport)** states that a managed and restrained approach to car parking provision will be adopted to contribute to the objectives of traffic reduction while protecting the operational needs of major public facilities, essential economic development and the needs of people with disabilities. The car parking standards contained within the London Plan will be used as a basis for assessment.
- 6.32. Cycle parking will be required for new development and TfL guidelines will be used to assess provision.
- 6.33. **Policy 15 (High Quality Design for Lewisham)** states that for all development, the Council will:
- a. Apply national and regional policy and guidance to ensure highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character;
 - b. Ensure design acts to reduce crime and the fear of crime;
 - c. Apply the housing densities as outlined in the London Plan, except where this is not appropriate to preserving or enhancing the characteristics of conservation areas;
 - d. Use Building for Life standards to assess major planning applications to ensure design quality in new housing schemes;
 - e. Ensure development is flexible and adaptable to change;
 - f. Ensure any development conserves and enhances the borough's heritage assets, and the significance of their settings, such as conservation areas, listed buildings, registered parks and gardens, scheduled monuments and the Maritime Greenwich World Heritage Site.

Lewisham Development Management Local Plan (2014)

- 6.34. **Policy DM1 (Presumption in Favour of Sustainable Development)** states that sustainable development can play an important economic, social and environmental role in supporting growth

and innovation, creating high quality built development with accessible local services, and protecting and enhancing the natural built and historic environment.

6.35. **Policy DM11 (Other Employment Locations)** states the following:

Sites in Town Centres, Local Hubs and Other Clusters of Commercial and/or Retail Uses

6.36. The Council will seek to retain employment uses (B Use Class) on sites and buildings in Town Centres, and Local Hubs where they are considered capable of continuing to contribute to and support clusters of business and retail uses, and where the use is compatible with the surrounding built context. A number of site characteristics and factors will be taken into account when reaching this assessment. This will include whether sites are well located in relation to the highway network; well located in relation to town centres and public transport; offer the potential for the expansion of existing in-situ businesses; offer the potential for the provision of workshop/industrial units for small and medium sized enterprises (SMEs) serving local residential and commercial areas, particularly where there is little alternative provision in the local area; or provide lower cost accommodation suitable for small, start-up businesses.

Sites in Residential Areas

6.37. Applications for redevelopment for change to other business uses suitable for a residential area will be approved where:

- The site has become vacant for an appropriate length of time and evidence is provided that it is no longer suitable and viable for its existing or an alternative business use by reason of access difficulties or environmental incompatibility; and
- That a suitable period of active marketing of the site for re-use/redevelopment for business uses through a commercial agent, that reflects the market value has been undertaken.

A mix of uses in a new scheme will be considered positively subject to the context of the site and meeting the requirements of other policies in this plan, including, in the case of any residential development proposed as part of a scheme an appropriate level of amenity and the suitability of the site for this use.

All Sites

6.38. The Council will seek contributions to training and/or local employment schemes where there is loss of local employment as a result of redevelopment or change of use.

6.39. **Policy DM 22 (Sustainable Design and Construction)** states that in addition to those policies in the London Plan and Lewisham's Core Strategy Policies 7 and 8, the Council will require all developments to maximise the incorporation of design measures to maximise energy efficiency, manage heat gain and deliver cooling using the following hierarchy:

- Passive solar design to optimise energy gain and reduce the need for heating;
- Passive cooling design and natural ventilation to slow heat transfer and remove unwanted heat;
- Mixed-mode cooling, with local mechanical ventilation/cooling provided where required to supplement the above measures, using (in order of preference) low energy mechanical cooling followed by air conditioning; and
- Full-building mechanical ventilation/cooling systems using (in order of preference) low energy mechanical cooling followed by air conditioning.

- 6.40. **Policy DM29 (Car Parking)** states that 'car limited' major residential development will only be considered where there is:
- PTAL score 4 or higher, or where this can be achieved through investment in transport infrastructure and services;
 - No detrimental impact on the provision of on-street parking in the vicinity;
 - No negative impact on the safety and suitability of access and servicing;
 - Protection of required publicly accessible or business use car parking;
 - Inclusion of car clubs, car-pooling schemes, cycle clubs and cycle parking and storage; as part of a package of measures mitigating the need for on-site car parking provision;
 - An equitable split of parking provision between private and affordable residential development; and
 - On-site accessible priority parking for disabled drivers.
- 6.41. Wheelchair accessible car parking is required to be provided in accordance with best practice standards.
- 6.42. **Policy DM30 (Urban Design and Local Character)** sets out the following general principles:
- All development proposals will be required to attain a high standard of design. The requirements of **Core Strategy Policy 15** which sets out the aims for each Core Strategy spatial area will need to be met; and
 - Where relevant, development proposals will need to be compatible with and/or complement the urban typologies and address the design and environmental issues identified in Table 2.1 Urban typologies in Lewisham.
- 6.43. **Policy DM32 (Housing Design, Layout and Space Standards)** states the following:
- 6.44. The Council expects all new residential development to:
- Be attractive and neighbourly;
 - Provide a satisfactory level of privacy, outlook and natural lighting both for its future residents and its neighbours; and
 - Meet the functional requirements of future residents.
- 6.45. New-build housing development will be required to be:
- Sited to minimise disturbance from incompatible uses and be well located in relation to public transport with a high quality pedestrian environment;
 - Provided with a readily accessible, secure, private and usable external space and include space suitable for children's play;
 - Designed so that schemes in mixed tenure do not distinguish between public and private housing provision either in terms of quality of materials and design, or in level of amenities;
 - Be safe and secure; and
 - Ensure that internal layout and external design features ensure housing is accessible to all intended users.
- 6.46. **Policy DM33 (Developments on Infill Sites, Backland Sites, Back Gardens and Amenity Areas)** states that if a site is considered suitable for development, planning permission will not be granted unless the proposed development is of the highest design quality and relates successfully and is sensitive to the existing design quality of the streetscape, and is sensitive to the setting of heritage assets. This includes the spaces between buildings which may be as important as the character of the buildings themselves, and the size and proportions of adjacent buildings.

Backland Sites

6.47. New development on sites of this type will only be permitted where they provide:

- a proper means of access and servicing which is convenient and safe both for drivers and pedestrians;
- no significant loss of privacy, amenity, and no loss of security for adjoining houses and rear gardens; and
- appropriate amenity space in line with the policy requirements in DM Policy 32 (Housing design, layout and space standards).

Residential Development Standards SPD 2006 (updated 2012)

6.48. **Paragraph 2.13 (Amenity impacts – light, privacy, enclosure)** states that unless it can be demonstrated that privacy can be maintained through design, there should be a minimum separation of 21 metres between directly facing habitable room windows on main rear elevations. This separation will be maintained as a general rule but will be applied flexibly dependent on the context of the development. The minimum distance between habitable rooms on the main rear elevation and the rear boundary, or flank wall of adjoining development, should normally be 9 metres or more. These guidelines will be interpreted flexibly depending on the context of the development.

7.0 Planning Considerations

- 7.1. As previously set out in Section 5, the proposed development seeks to provide four residential dwellings comprising 2 x 4 bedroom semi-detached houses and 2 x 2 bedroom maisonettes.
- 7.2. In this Section we address the material planning considerations associated with the development.

Demolition of Existing Building

- 7.3. The existing building is of limited architectural merit and does not provide any significant visual benefit to this particular part of Lewisham. The building is not locally or statutorily listed and is not located within a Conservation Area.
- 7.4. A Conditions Survey has been prepared by Court Buckingham Ltd. in support of this planning application which provides evidence that the existing office building is in poor condition and that the renovation of the building would not be viable option.
- 7.5. An Asbestos Report has also taken place to test a sample of the existing roof, revealing that asbestos is present on the Site. It has therefore been recommended that the roof be replaced at the earliest opportunity in order to avoid further deterioration and contamination.
- 7.6. Given that the proposed development would deliver a high quality and architecturally attractive scheme in place of a dilapidated and underused building, it is considered that the demolition of the existing office building would be acceptable in this context.

Principle of Development

Loss of the Existing Commercial Use

- 7.7. The Site is currently occupied by a single-storey office building which has been vacant since September 2016. To the rear of the Site is a former scaffolders yard, which has not been in commercial use since September 2014.
- 7.8. The Site is not a designated employment location as identified on the LB Lewisham Local Plan Proposals Map (2015), although it is afforded some level of protection through **Core Strategy Policy 5 (Other Employment Locations)** of the LB Lewisham Core Strategy (2011). This states that the Council will seek to protect the scattering of employment sites throughout the Borough outside of Strategic Industrial Locations, Local Employment Locations and Mixed Use Employment Locations.
- 7.9. Other uses including retail, community and residential uses will be supported if it can be demonstrated that site-specific conditions including site accessibility, restrictions from adjacent land uses, building age, business viability, and viability of redevelopment show that the site should no longer be retained for employment use.
- 7.10. We will now consider each of these criteria below in order to demonstrate that it is no longer necessary for the Site to be retained for employment use.

Site Accessibility

- 7.11. The Site is located within a predominantly residential area and sits behind a row of semi-detached properties. It is located outside of a Town Centre and occupies a backland site which does not present a particularly desirable location for a business uses.
- 7.12. The Site is accessed via a private access road which connects to the main road between Nos. 48 and 52 Ashgrove Road. Due to the backland nature of the Site, accessibility is inherently restricted.

Restrictions from Adjacent Land Uses

- 7.13. The Site is immediately adjacent to The Ashgrove Estate to the south, and residential properties to the north and east. This residential setting restricts the potential for commercial uses on the Site due to the need to protect neighbouring amenity and ensure that no conflicts arise with nearby residential use.

Building Age

- 7.14. The exact age of the existing office building is not known, but it is likely to have been constructed in the 1960s or 1970s. At present, the building is showing signs of significant deterioration. A Conditions Survey has been produced by Court Buckingham Ltd. in support of this planning application, which demonstrates that it would be financially unviable to refurbish the building to a standard which would comply with current Building Regulations.
- 7.15. Furthermore, an Asbestos Report has been undertaken which has identified that the roof contains asbestos and needs to be replaced as soon as possible.
- 7.16. Both of these documents have been submitted in as part of this planning application.

Business Viability

- 7.17. The existing office building has been vacant for the past six months, and the previous occupiers have moved to more suitable office premises in a better quality building. The former scaffolders yard to the rear of the Site has not been in commercial use for the past two-and-a-half years.
- 7.18. Despite active marketing of these properties, it is clear that the limited access arrangements and the constraints of the Site make it an unattractive prospect for these business uses.

Viability of Redevelopment

- 7.17. As identified in the accompanying Conditions Survey, the provision of an office use on the Site is likely to be financially unviable due to the costs that would be incurred in bringing the building in line with current Building Regulations and replacing the current roof.
- 7.18. The Site is in a location that is suitable for residential development and the construction of new housing on this previously developed (brownfield) land would represent a sustainable contribution towards meeting local housing need within the Borough.
- 7.19. In addition to the above criteria, **DM Policy 11 (Other Employment Locations)** of the LB Lewisham Development Management Local Plan (2014) states that applications for redevelopment for change to other uses suitable for a residential area will be approved where:
- The site has become vacant for an appropriate length of time and evidence is provided that it is no longer suitable and viable for its existing (or an alternative) business use by reason of access difficulties or environmental incompatibility; and

- That a suitable period of active marketing of the site for re-use/redevelopment for business uses that reflects market values has been undertaken through a commercial agent.
- 7.20. The existing office building has been vacant since September 2016 and the former scaffolders yard has not been in commercial use since September 2014, despite an active and ongoing marketing campaign.
- 7.21. A full marketing report providing details of how the site has been marketed since July 2015, and continues to date, is provided in support of this application and outlines the factors for the lack of interest in the building for business use. The limited accessibility of the Site from Ashgrove Road combined with the costs involved in refurbishing the existing office building have been shown to be prohibitive to prospective tenants.
- 7.22. The report, and the assessment above is considered sufficient to demonstrate that the site meets the requirements of Policy CS5 and DM11 in demonstrating that the loss of the commercial space is acceptable in principle.
- 7.23. Moreover, the Inspectors decision issued in June 2018 further supports this argument. The Inspector was in agreement that the marketing evidence provided adequately addresses the requirements of Policy CS5 and DM11 concluding in paragraph 17 that the proposal would accord with the objectives of the Lewisham Development Plan policies. The full Inspectors Decision is provided within **Appendix 3**.

Backland Development

- 7.24. The Site can be classed as a 'Backland Development Site' as set out within **Policy DM 33 (Development on Infill Sites, Backland Sites, Back Gardens, and Amenity Areas)** of the LB Lewisham Development Management Local Plan (2014). **Section B (Backland Sites)** states that new development on sites of this type will only be permitted where they provide:
- A proper means of access and servicing which is convenient and safe for both drivers and pedestrians;
 - No significant loss of privacy, amenity, and no loss of security for adjoining houses and rear gardens; and
 - Appropriate amenity space in line with the requirements set out in **DM Policy 32 (Housing Design, Layout, and Space Standards)**.
- 7.25. The Site is provided with a proper means of access and servicing via a private road that connects to the main road between Nos. 48 and 52 Ashgrove Road. At 4.5m wide, this road is wide enough to provide a safe refuge for pedestrians as well as allowing two cars to pass each other at low speeds.
- 7.26. The proposed layout of the scheme, in particular the central forecourt, has been designed to allow large vehicles (including emergency services) to enter and exit the Site safely.
- 7.27. This has been demonstrated in the accompanying Transport Statement prepared by ADL Transportation Ltd. in support of this application, which includes a swept-path analysis and up-to-date parking survey.
- 7.36. The proposed development has been designed to optimise available space within the Site whilst protecting the amenity of surrounding properties. There are no windows proposed on the northern elevations of either the houses or maisonettes in order to prevent any direct overlooking into neighbouring gardens.

- 7.37. The heights of the proposed buildings are lower than the adjacent industrial warehouse to the south and have a lower roof line than the majority of the properties along Ashgrove Road. This has been done to ensure that the development would not be overbearing or bulky when viewed in the context of the surrounding area.
- 7.38. The proposed houses and maisonettes would overlook the central forecourt area where car parking has been provided, offering passive surveillance for the units and ensuring the security of residents.
- 7.39. Each of the proposed dwellings has been provided with private and secure outdoor amenity space in the form of a rear gardens. The minimum required depth of 9m, as set out in **Section 3.10 (Gardens and Amenity Space)** of the LB Lewisham Residential Standards SPD (2012), has been met, and side gates have been provided for security purposes.

Design

Layout

- 7.40. The proposed layout has been designed to optimise the potential of the Site and to make sustainable use of an area of previously-developed 'brownfield' land.
- 7.41. The two 2-storey houses have been located to the western edge of the Site, and the 2-storey flat block is located in the centre of the Site between the new houses and no. 48 Ashgrove Road. A central forecourt is formed between the two blocks, where car parking spaces serving each unit are provided.
- 7.42. In response to Officer's pre-application comments, the proposed dwellings have been brought in from the boundary line by 1m in order to preserve the amenity of neighbouring occupiers.
- 7.43. In order to avoid overlooking onto neighbouring gardens, no windows are provided on the flank walls of either block. A separating distance of 25m from the rear of No. 48 Ashgrove Road has been maintained in order to preserve the privacy of all residents.
- 7.44. We therefore consider the proposed layout of the development to be acceptable. Furthermore, the Officer's report to application ref. DC/17/100897 noted that the design of the proposal is considered acceptable by the Council. Given that the design of the scheme remains the same in this application, this is still considered to be the case.

Height, Scale and Massing

- 7.45. In response to Officers' pre-application comments, the total number of units has been reduced. The third house to the western edge of the Site has been removed, leaving two semi-detached houses in its place. This was considered by Officers to be a more appropriate scale of development in pre-application discussions.
- 7.46. The proposed development at 2-storeys does not exceed the prevailing height of the surrounding properties and is subservient to existing development. This is appropriate given the 'backland development' nature of the Site.
- 7.47. Both the houses and the maisonettes have been designed with low-pitched roof profiles, and there are no external projections (such as balconies), further reducing the perceived massing of the development.

- 7.48. We therefore consider the proposed height, scale, and massing of the development to be acceptable. Again, this point has been subsequently agreed as acceptable by officers as set out within the Officer Report to application ref. DC/17/100897.

Density

- 7.49. The proposed scheme would provide four new dwellings with a total of 20 habitable rooms. Based on a Site Area of 0.12ha, the scheme would represent a density of approximately 41 units per hectare (191 habitable rooms per hectare).
- 7.50. This is within the recommended density range of 35-75 units per hectare (150-200 habitable rooms per hectare) as set out under **Policy 3.4 (Optimising Housing Potential)** of the London Plan (2016) for a site in a 'Suburban Setting' with a PTAL score of 1b (Very Poor).
- 7.51. We therefore consider the proposed density of the development to be acceptable.

Materials

- 7.52. The proposed dwellings are of a contemporary style that complements rather than replicates the built form typology of the nearby houses on Ashgrove Road. This was considered by Planning Officers to be the most appropriate response during pre-application discussions.
- 7.53. To achieve this, a varied palette of different colours and textures of brick has been chosen in order to create visual interest without appearing incongruous to the surrounding area.
- 7.54. In addition to this, green roof technology is proposed to be installed as part of both residential blocks, adding further texture and visual interest to the development.
- 7.55. Further details are provided in the accompanying Design and Access Statement prepared by March Associates.
- 7.56. We therefore consider the materials used in the proposed development to be acceptable, as agreed by officers as part of the consideration of application ref. DC/17/1200897.

Residential Mix and Tenure

- 7.57. The scheme provides two 4-bedroom houses and two 2-bedroom maisonettes for private market sale. The Council's Local Plan does not set out a preferred mix for residential dwellings, but encourages a site-specific response based on local context and current housing need.
- 7.58. We consider that the provision of two large 'family-sized' houses as part of the proposed development is reflective of the prevailing typology of the surrounding area. By providing two smaller maisonettes a broader mix of housing sizes is provided, enabling the proposed development to better contribute to housing need in the Borough.
- 7.59. We therefore consider the residential mix and tenure of the proposed development to be acceptable.

Residential Amenity

Internal Space Standards

- 7.60. Each dwelling meets the minimum internal space standards as set out in **Policy 3.5 (Quality and Design of Housing Development)** of the London Plan (2016). These dimensions have been set out in the Table 01 below:

TABLE 01: MINIMUM INTERNAL SPACE STANDARDS		
Dwelling	Proposed Floorspace (GIA)	Minimum Requirement
House 1	155m ²	107m ²
House 2	155m ²	107m ²
Maisonette 1	83m ²	70m ²
Maisonette 2	83m ²	70m ²

- 7.61. We therefore consider the proposed internal dimensions to be acceptable.
- 7.62. This was considered acceptable by officers in the consideration of application ref. DC/17/100897.

Amenity Space/Open Space

- 7.63. Each of the proposed dwellings will be provided with private outdoor amenity space in the form of a rear garden. All the garden sizes would meet or exceed the minimum depth of 9m as set out in **Section 3.10 (Gardens and Amenity Space)** of the LB Lewisham Residential Standards SPD (2012).
- 7.64. We therefore consider the proposed private outdoor amenity space provision to be acceptable.
- 7.65. This was considered acceptable by officers in the consideration of application ref. DC/17/100897.

Overlooking/Privacy

- 7.66. The location of the Site to the rear of residential properties (i.e. backland development) means that there is a significant potential for overlooking onto the rear gardens of Nos. 48 and 52 Ashgrove Road to the north and east.
- 7.67. In order to prevent this, each of the proposed houses and maisonettes have been further set back from the site boundary line to the north by 1m. No windows are proposed to be placed within the north and south-facing flank walls of the blocks, and a window-to-window separation distance of 25m between the maisonette block and No. 48 Ashgrove Road has been maintained.
- 7.68. We therefore consider that the proposed development would not result in unacceptable overlooking or loss of privacy for neighbouring occupiers.

Energy and Sustainability

- 7.69. As the proposed development of four units is not considered to be a major development, the scheme is only required to make the 'fullest contribution possible' in reducing CO² emissions as set out in **Policy 5.2 (Minimising Carbon Dioxide Emissions)** of the London Plan (2016).

- 7.70. An overall reduction of 22% in site-wide regulated CO² emissions has been achieved (with reference to Part L1A (2013) of the Building Regulations), which has been demonstrated as the 'fullest possible contribution' in the accompanying Sustainability Statement prepared by SRS Partnership.
- 7.71. A total of 14 PV panels are provided as part of the development, which will achieve an output of 3.5kWp in ideal conditions.
- 7.72. The estimated daily water consumption for the development has been calculated to be 102.8 litres per person, meeting the target usage of 105 litres or less per person per day as set out in **Policy 5.15 (Water Use and Supplies)** of the London Plan (2016).
- 7.73. We therefore consider that the proposed development to be energy-efficient and sustainable.

Access, Parking, Refuse and Servicing

Access

- 7.1 The access way is 4.5m wide at its narrowest point. In order to provide a demarcated area for pedestrians and vehicles, it is proposed that Imprint Paving could be used. Details of the type of paving to be used can be seen within **Appendix 5**. It is considered that this could be secured by way of planning condition.
- 7.2 It is noted that within the Inspector's Decision, the use of such paving is considered entirely appropriate.
- 7.3 Moreover, it is again considered within the Inspectors Decision that given the low level of vehicle and pedestrian movements anticipated for the access road, there would be not be such a significant level of harm to warrant the withholding of planning permission. Accordingly, it is felt the proposal should be considered acceptable in regard to Policy DM 29 and DM 33 of the Lewisham Development Management Plan.

Emergency Vehicular Access

- 7.4 It is noted that the Inspector dismissed the appeal against the previous planning application on the basis that it was not demonstrated that a fire appliance could enter and exit the site in forward gear and therefore could not demonstrate that safe and suitable access could be provided for an emergency vehicle.
- 7.5 In order to address this concern, the proposed dwellings within this scheme are to be fitted with sprinklers. As demonstrated within the supporting Technical Note on Fire Engineering prepared by BBSSeven, this would ensure that the proposed development sufficiently accords with the relevant building control matters regarding fire safety. In addition to this, **Appendix 6** shows an email from BBS Building Control further re-iterating that the inclusion of sprinklers to BS9251:2014 standards would represent a position compliant with BS9991:2015.
- 7.6 Moreover, it is noted that LB Lewisham have granted permission for a site at Springbank Road (ref. DC/14/090373) which demonstrates similar site constraints and access restrictions. This application included the provision of a fire hydrant in order to address the relevant building regulations. Given that the proposal at 50 Ashgrove Road demonstrates that the scheme would be compliant with the relevant Building Regulations, it is considered that this scheme should also be considered acceptable in this regard.

Car and Cycle Parking

- 7.74. As discussed previously in this Statement, the scheme would provide a total of six car parking spaces. These would be allocated as two spaces for each of the 4-bedroom houses and one space for each of the 2-bedroom maisonettes. As shown on the Site Plan (Drawing No. P.51), these spaces would be provided to the front of each of the dwellings.
- 7.75. Given the low PTAL score of the Site and its location in a 'Suburban Setting', this level of provision is in compliance with the recommended maximum standards for 2-bedroom flats and 4-bedroom houses as set out in **Table 6.2 (Car Parking Standards)** of the London Plan (2016).
- 7.76. We therefore consider the proposed car parking provision to be acceptable.
- 7.77. A total of eight secure cycle parking spaces would be provided as part of the proposed development. These have been allocated as two spaces per 4-bedroom house and 2-bedroom maisonette. This is compliant with the minimum standards set out in **Table 6.3 (Cycle Parking Minimum Standards)** of the London Plan (2016).
- 7.78. The spaces are located within the gardens of each of the proposed dwellings ensuring the spaces are safe, secure and easily accessible for proposed residents.
- 7.79. Vehicle tracking to demonstrate the ability of a car and supermarket van to access the site, turn and exit in forward gear is set out within the Transport Statement prepared by ADL Traffic which supports this application.
- 7.80. We therefore consider the proposed cycle parking provision to be acceptable.

Refuse and Recycling

- 7.81. A secure bin store would be provided in the rear garden of each of the new dwellings, with a refuse collection point provided on the corner of the private access road where it meets Ashgrove Road. This arrangement was proposed during pre-application discussions and was considered by Planning Officers to be acceptable.
- 7.82. Furthermore, within the Inspectors Decision Notice on application ref, DC/17/100897, it notes that given the short period of time in which the bin collection store would be used, it is not considered that the location of the store would give rise to a significant source of noise or disturbance for residents of no. 48 Ashgrove Road.
- 7.83. We therefore consider the proposed refuse and recycling arrangements to be acceptable.

Land Contamination

- 7.84. As part of the previous prior approval application on the Site (LPA Ref. DC/14/087248), both a Phase 1 Preliminary Risk Assessment (dated 15th November 2013) and a Phase 2 Site Investigation Report (dated 7th March 2014) were produced by Terragen Environmental Consultants Ltd.
- 7.85. The Phase 2 Site Investigation Report demonstrates that there is not a significant risk of land contamination associated with the proposed development. However, the Report states that, should

the existing hardstanding on-site be removed as part of any future development, the conclusions of the Report may have to change.

- 7.86. Given that the development proposed as part of this application involves the removal of the existing hardstanding and the demolition of the existing office building, we propose that the Site Investigation Report be reviewed.
- 7.87. We therefore consider that an updated Land Contamination Assessment should be secured by way of planning condition.

Trees

- 7.88. Although the Site itself does not contain any trees, there are several trees which border the Site on neighbouring properties. Accordingly, an Arboricultural Impact Assessment has been prepared by Sylvanarb.
- 7.89. The Assessment sets out the arboricultural work that would be required in order to facilitate the development. The trees which have been identified are not covered by a Tree Preservation Order (TPO). Overall, the Assessment concludes that the proposed development makes good use of the developable area whilst recognising the constraints presented by all but four low value trees, ensuring that the arboricultural impacts of the scheme are minimised.
- 7.90. We therefore consider the impact of the proposed development on surrounding trees to be acceptable.

Archaeology

- 7.91. An Archaeological Assessment (desk-based) has been prepared by AOC Archaeology Group in support of this planning application.
- 7.92. The Assessment has identified the Site as having a 'high potential' for 20th century remains; a 'medium potential' for Medieval and post-Medieval period remains; and a 'low potential' for Prehistoric and Roman remains to have survived on the Site.
- 7.93. We therefore consider that an Archaeological Watching Brief should be secured by way planning condition, to be undertaken during any ground-breaking works.

Community Infrastructure Levy (CIL)

- 7.94. It is noted that the proposed development would be liable to pay both Mayoral CIL and Local CIL.
- 7.95. The Mayoral CIL rate for residential development in Lewisham is £35/m² as set out in the Mayoral CIL Charging Schedule (2012).
- 7.96. For the purposes of Local CIL the scheme is located within CIL Charging Zone 2, for which residential development is charged at £70/m² as set out in the LB Lewisham CIL Charging Schedule (2015).

8.0 Conclusion

- 8.1. This Planning Statement has been produced by bptw planning on behalf of Northstar 2000 Ltd. and is submitted in support of a full planning application at 50 Ashgrove Road, Bromley, BR1 4JW for the following description of development:

Full planning permission for the demolition of the existing office building and construction of 4 new dwellings with associated vehicle and cycle parking, recycling and refuse facilities.

- 8.2. This application is a re-submission of application ref. DC/17/100897 and comes following the issuing of the Inspector's Decision on the subsequent appeal in June 2018.
- 8.3. This application addresses the outstanding concerns from the Inspector as well as re-iterating how the scheme addresses previous concerns from LB Lewisham.
- 8.4. This application has been informed by pre-application discussions that took place with Planning Officers in October 2016. This final proposal has sought to incorporate Officers' comments in order to present a scheme which maximises the potential of this previously-developed (brownfield) site.
- 8.5. The existing office building and former scaffolders yard are both currently vacant (for a period of six months and two-and-half-years respectively). This Planning Statement and associated technical reports have clearly set out the reasons why commercial interest in the Site has not been forthcoming, and the reasons why residential development would represent a more sustainable use for the Site.
- 8.6. Furthermore, this Statement has set out the ways in which the proposed development has been designed to meet the requirements for a 'backland site' in terms of providing a scheme which is sensitive to access requirements, and the protects the amenities of both neighbours and future residents.
- 8.7. It is considered that the proposed development meets the relevant national, regional, and local planning policy requirements, and represents a high quality scheme with a unique, contemporary style which will make a positive contribution towards housing need in the Borough.
- 8.8. We therefore respectfully request that this planning application be granted permission.

Appendix 1- Site Location Plan

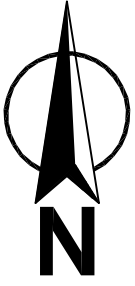
Appendix 2 - Ref. DC/17/100897 Pre-application Response

Appendix 3 – Inspector’s Decision Ref. APP/C5690/W/17/3189975

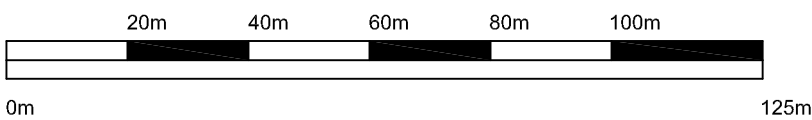
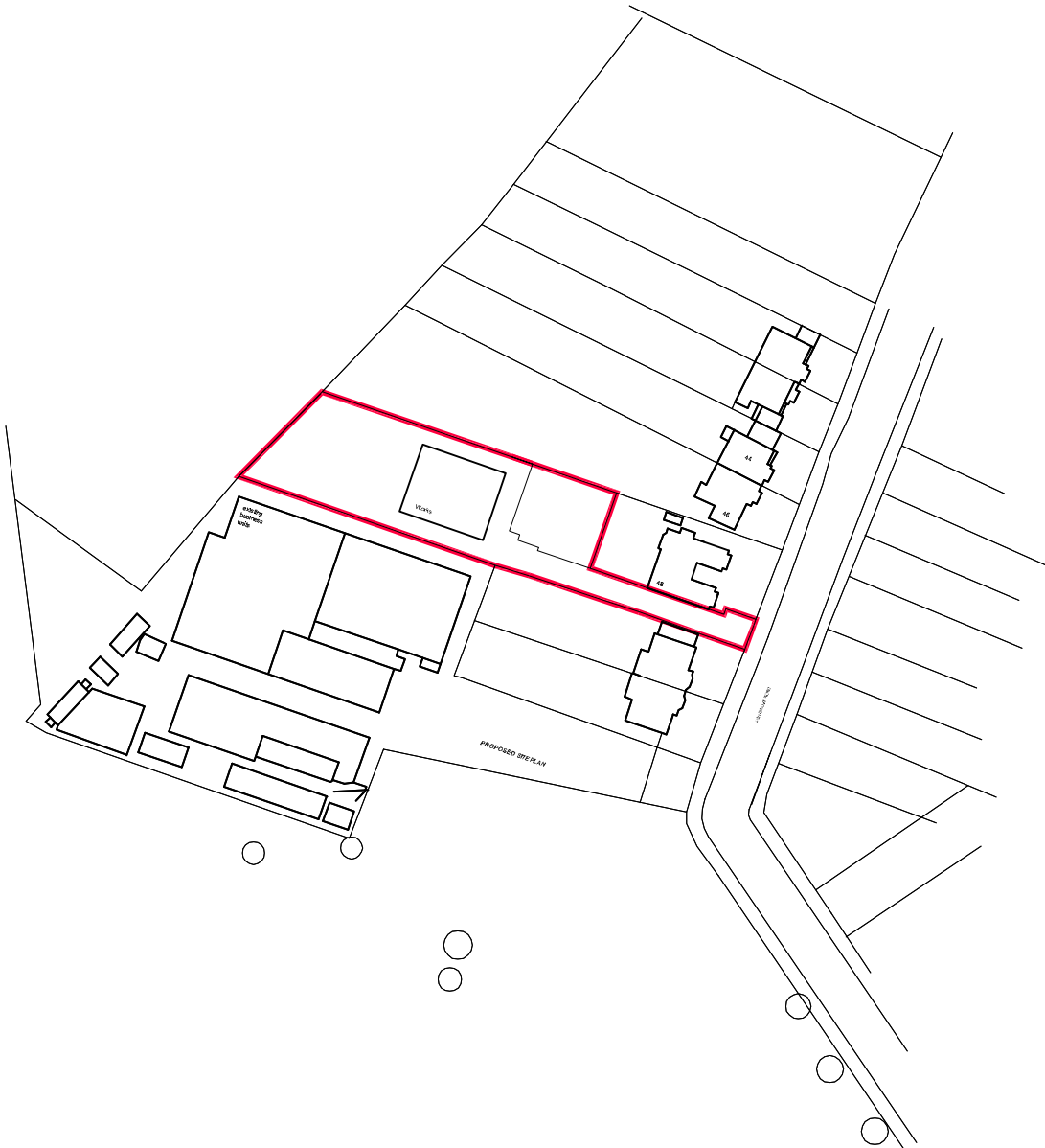
Appendix 4 – Officer’s Report for Application Ref. DC/17/100897

Appendix 5 – Details of Imprint Paving

Appendix 6 – Email from BBS Building Control dated 25/07/18



50 ASHGROVE
ROAD
BROMLEY
BR1 4JW



SCALE: 1:1250 @ A4



Mr David Stengel
Bptw partnership
110-114 Norman Road
Greenwich
BR1 4JW

Geoff Whittington
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30 November 2016

Dear Mr Stengel,

Pre application enquiry: 50 Ashgrove Road, BR1 (PRE/16/002634)

I refer to your pre-application enquiry for the above site, and the subsequent meeting that was attended by Tom Watts (Design), and Joe Roberts (Planning Officer).

You have submitted the following documents to assist with your enquiry:

- Covering letter;
- Design & Access Statement, including photographs;
- Floor plans and elevations.

Site Description and History

This is a backland site that lies to the rear of 48 Ashgrove Road, which is occupied by a single-storey building and yard area. The recent use was as a scaffolds yard and ancillary office (B1a).

The site adjoins a two storey residential property to the north and the Ten-Em-Bee Sports Development Centre complex with associated playing fields to the west. The southern boundary abuts Ashgrove Road, Industrial Estate, which comprises a cluster of industrial warehouses of one to two storeys.

The local area is characterised by two storey terraced and semi-detached residential dwellings. The site is not located within a conservation area, or subject to an Article 4 direction.

The site is located within an Area of Archaeological Priority.

The site has a PTAL rating of 1 on a scale of 1-6, where 1 represents poor access to public transport.

Site History

2008: Permission refused for the demolition of the building at 50 Ashgrove Road BR1 and the construction of 1, two bedroom and 6, three bedroom, two storey, plus roof space, houses with work space on the ground floors, together with associated landscaping and the provision of refuse stores and 10 car parking spaces, for the following reasons;

- 1) The proposal is considered to represent an over-development of the backland site, with the unacceptable loss of a section of existing garden to the rear of no. 46 Ashgrove Road, together with the encroachment of a further layer of employment related development upon the residential setting, impacting detrimentally upon the amenities of neighbouring occupiers and the character of the surrounding area, contrary to Policy HSG 8 Backland and In-fill Development in the adopted Unitary Development Plan (July 2004).
- 2) The scale of development proposed and the resulting level of activity, the narrow width of the proposed access onto the site, inadequate pedestrian footways and the potential conflict between vehicle manoeuvring and pedestrian routes would be likely to cause additional parking pressures on Ashgrove Road, detrimental to the amenities of neighbouring occupiers and would create conditions prejudicial to the safety of pedestrians and other visitors to the site, contrary to policies HSG 8 Backland and In-fill Development and TRN 17 Protecting Cyclists and Pedestrians of the Council's adopted Unitary Development Plan (2004).
- 3) The proposed siting and three-storey height of units 1 & 7 would appear overbearing and discordant, positioned within close proximity of the existing dwellings at nos. 44, 46 & 48 Ashgrove Road, resulting in an increased sense of enclosure, whilst the upper floors of both units would be likely to overlook the neighbouring garden areas, contrary to Policies URB 3 Urban Design, HSG 4 Residential Amenity, HSG 5 Layout and Design of New Residential Development and HSG 8 Backland and In-fill Development in the adopted Unitary Development Plan (July 2004).
- 4) The proposed roof terraces to units 6 & 7, by reason of their elevated position and relationship to adjoining houses and gardens, would result in overlooking and loss of privacy to residents at 46 & 48 Ashgrove Road, contrary to Policies URB 3 Urban Design, HSG 4 Residential Amenity and HSG 8 Backland and Infill Development of the adopted Unitary Development Plan (July 2004).
- 5) Insufficient evidence has been submitted that supports the viability of live/work units in this particular area, contrary to policy EMP 4 Development Outside Defined Employment Areas of the adopted Unitary Development Plan (2004).
- 6) The size and depth of the garden spaces to the rear of units 1, 2, 3, 6 and 7 would be wholly inadequate in respect of the residential element of the scheme, failing to meet with the minimum 9 metre depth requirement as stated in policy HSG 7 Gardens in the adopted Unitary Development Plan (July 2004).
- 7) In light of the narrow width of the access path, refuse trucks would be unable to enter the site, therefore, the positioning of the proposed refuse storage and disposal would be unacceptable, contrary to Policies URB 3 Urban Design, HSG 4 Residential Amenity, HSG 5 Layout and Design of New Residential Development and HSG 8 Backland and In-fill Development in the adopted Unitary Development Plan (July 2004).

In 2015, the Council refused Prior Approval for change of use of 50 Ashgrove Road, to a use falling within C3 (dwelling houses) pursuant to Class O of Part 3 of Schedule 2 of

the Town and Country Planning (General Permitted Development) Order 2015, for the following reasons:

- 1) The application site includes a scaffolders yard (B8). This does not fall within use class B1(a). The application therefore does not comply with Class O of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.
- 2) The transport and highways impact of the proposed change of use is considered unacceptable due to the conflict between the B8 use to the rear of the site and the proposed C3 residential. It is considered this conflict will significantly compromise safety for future potential occupiers of the C3 residential use. This is contrary to Class O Part 3 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

A subsequent appeal was dismissed by the Planning Inspectorate on 30 December 2015.

Proposal

The proposal includes demolition of existing buildings on site, and the construction of 3, 2-storey plus roofspace terraced houses to the rear of the site, and a 2-storey plus roofspace block of flats comprising two residential units towards the central area of the site.

All dwellings would be afforded private amenity space and landscaped frontages that would provide off-street parking. The site would be accessed via the existing passageway from Ashgrove Road.

I now turn to the preliminary assessment of the proposal, which will include an indication of the main issues that should be addressed before a planning application is submitted. Please note that the depth of analysis corresponds with the information provided by you at this point. You should also be aware that this letter expresses officers' opinion only and does not prejudice any future formal decisions of Lewisham Council.

Principle of the Proposal

The first issue relates to the loss of the existing employment use. The Council's policy relating to the loss of employment on other employment locations is set out in Core Strategy Policy 5.

1. The Council will protect the scattering of employment locations throughout the borough outside Strategic Industrial Locations, Local Employment Locations and Mixed Use Employment Locations.
2. Employment land within town centres, which has the potential to contribute to a Major town centre, District Hub, a Local Hub, or other cluster of commercial and business uses, should be recommended for retention in employment use.
3. Other uses including retail, community and residential will be supported if it can be demonstrated that site specific conditions including site accessibility, restrictions from adjacent land uses, building age, business viability, and viability of redevelopment show that the site should no longer be retained in employment use.

The D&A Statement provided advises;

- 'The property is a dilapidated office which has been in use by the applicants for a period of time but have recently re-located and the premises are now empty.'
- 'There is a large open yard at the rear which was up until approximately a year ago used as a scaffolding yard.'

The Council's general approach to such sites is that residential provision would not be considered unless the relevant site had been unoccupied for a significant period and extensively marketed for further employment use whereby it is demonstrated there was little or no demand or no economically viable commercial use for the site.

The statement provided advises 'the site has been subject to marketing for re-letting which has been unsuccessful.'

The Council would require evidence that a period of active marketing of the site for re-use/redevelopment for business uses through a commercial agent that reflects the current market value has been undertaken. Until then, officers are not in a position to advise whether the principle of loss of employment would be acceptable.

In regard to the planning appeal relating to the Council's decision to refuse Prior Approval for change of use of 50 Ashgrove Road to a use falling within C3 (dwelling houses), the Planning Inspector commented in December 2015, '...I saw no compelling evidence that the commercial yard was vacant or disused. Indeed I observed that the site contained a large number of various stored materials including construction fencing, insulation panels, pallets, bricks and breeze blocks.....I find that storage activity and use remains functioning, and no substantial evidence is before me to conclude that it is no longer the primary use of the whole site.'

The recent officer visit found the use of the site to be similar to the Inspector's observations, whereby various items were being stored in the rear yard. Officers did not observe any obvious deficiencies in the condition of the building, whilst it was apparent that an office use was still operating, contrary to the D&A Statement. Internally at least, it appeared of a relatively good standard.

Officers would expect a future application to demonstrate why the existing building is considered to be dilapidated, which may include the provision of a structural report.

Design, scale and massing

Paragraph 15 of the National Planning Policy Framework states: "local planning authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however proper to seek to promote or reinforce local distinctiveness."

The site is somewhat of a transition zone between the clearly defined industrial area at the end of Ashgrove Road and the residential plots which extend down to Bromley Road, whilst being constrained due to its backland nature.

The scheme proposes 3no three-storey terraced dwellings to the rear of the site, and 2no flats within a 2-storey plus roofspace block. Having visited the site and assessed the plot proportions, officers raise concerns toward the proposed scale of development.

It is considered that three dwellings to the rear of the site is an over-development, considering the width of the plot is not substantial, and the context that it sits within, which is defined by single dwellings on spacious plots. Two dwellings would be more appropriate, allowing for a semi-detached typology that is in character with the area, whilst being sited further away from the boundaries.

In terms of detail and architectural treatment, this has yet to come forward in the proposed scheme. It is suggested that the architect undertakes a contemporary design approach to any further iterations of the scheme. Referencing the built form typology along Ashgrove Road is not appropriate for this backland site. It instead demands a unique scheme and modern architectural techniques in order to respond successfully to the constraints of the site.

Impact on Neighbouring Amenities

DM Policy 33 of the Development Management Plan (2014) advises backland sites 'require sensitive treatment and a high quality of design in order to achieve successful development because of the potential for visual and functional intrusion due to the close proximity to existing housing.'

Considering the development would lie within close proximity of the dwellings at Nos. 46 and 48 Ashgrove Road, it is inevitable the proposed buildings would create potential overbearing and privacy issues to existing occupiers. Officers acknowledge there is a level of natural screening along the boundaries that would assist in mitigating to some extent these concerns, however the proposed buildings would be substantial, measuring approximately 8.5 metres high to ridge level.

The proposed central block of 2no flats would sit within the footprint of the existing building that is to be demolished, however the outlook from neighbouring properties would be significantly different considering the increased height from an existing 1.5 storeys to 2 storeys plus roofspace. The new building would also introduce windows and openings into the facade on the second storey, which would potentially create overlooking issues into neighbouring gardens.

There would be 25 metres between the south face of the building nearest the rear of the Ashgrove Road properties. This exceeds the minimum 21 metre distance required between facing habitable room windows.

The rear of the site perhaps lends itself to having more height, whilst directing some outlook over the adjoining park to the rear. However, whilst it is acknowledged that the adjacent garden at No.46 measures in excess of 60 metres length, and appears to be unused and overgrown with trees and shrubs at the rear, should the owner clear this area of the garden, the 3-storey development would appear overbearing, particularly as it would lie within close proximity of the boundary, with potential for unacceptable overlooking.

To reiterate the advice in the design section of this letter, officers would strongly urge you to reconsider the siting of the proposed buildings, and the scale and proposed height. The positioning of windows would need to be well considered to avoid loss of privacy, in addition to the provision of appropriate measures to reduce visual harm upon neighbouring occupiers.

Standard of Accommodation

The London Plan and the London Plan Housing SPG sets out minimum floor spaces standards for dwellings of different sizes. These are based on the minimum gross internal floor space required for new homes relative to the number of occupants and

taking in to account commonly required furniture and spaces needed for different activities and moving around. The quality of the proposed accommodation needs to be carefully considered in relation to the Council's LDF, the London Plan and the London Housing SPG.

The proposal includes the provision of six self-contained residential units, comprising 2no. four bedroom/ seven person dwelling-houses; 1no. three bedroom/ 5 person dwelling-house; and 2no. two bedroom/ four person flats.

The floor areas of the proposed larger dwelling-houses would range between 127 to 137sq.m, which would exceed the 121sq.m threshold, as stated in the Technical Housing Standards (2015).

The smaller dwelling-house would measure 103sq.m, exceeding the minimum 99sq.m tolerance, whilst the two flats would accord with the minimum threshold of 70sq.m.

The proposed layout of each dwelling is considered to be acceptable, with the majority of rooms exceeding the minimum room guidance. The London Plan Housing SPG (2016) advises that all single bedrooms measure a minimum 7.5sq.m, and 11.5sq.m for double bedrooms. The combined kitchen/ living/ dining rooms afforded to the two flats would exceed the minimum guidance. All habitable rooms would be afforded sufficient outlook and natural light intake.

Section plans must be formally submitted that demonstrates whether the proposed scheme would comply the National Technical Standards (2015), which advises that a minimum floor to ceiling height of 2.3m for at least 75% of the gross internal area must be achieved. However, the London Plan SPG advises a minimum ceiling height of 2.5 metres for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space.

The provision of private amenity space to the three dwelling-houses and ground floor flat is considered acceptable, being afforded access to rear gardens, in accordance with the London Housing Design Guidance, and DM Policy 32 which requires readily accessible, secure, private and usable external space in new build housing development.

It is unclear whether the first floor flat would have use of the spacious rear garden. The flat would be afforded a balcony measuring 3.4sq.m. Should this be the only amenity space the flat would benefit from, this would be considered unacceptable as the London Plan advises a minimum 5sq.m of private outdoor space should be provided for 1-2 person dwellings, and an additional 1sq.m per additional occupant.

Transport

Policy 6.13 of The London Plan states; 'The Mayor wishes to see an appropriate balance being struck between promoting new development and preventing excessive car-parking provision that can undermine cycling, walking and public transport use.' 'In locations with high PTAL, car-free developments should be promoted.'

The site has a PTAL rating of 1, indicating low access to public transport. The proposal would provide parking within the site for each unit.

The Council's Highways officer has assessed the plans, and advises that a swept path analysis would be required to determine whether vehicles would have sufficient space to turn and manoeuvre within the site, thereby discouraging the potential for reversing down the service path toward Ashgrove Road.

There is also concern with regard to visitor parking, and whether this would result in a high level of ad hoc parking within the site that would serve to restrict movement. A future application would be expected to set out measures to address this, whilst an up to date parking survey demonstrating whether there are sufficient on-street parking opportunities within the area should be undertaken.

Refuse

Plan PRP.01 indicates the main refuse collection point would lie within a dedicated area to the front garden of no.48, which would be acquired by the developers prior to a formal submission. Highways have raised no objections to the proposed siting. Elevation details of the refuse store should form part of a future submission, and confirmation the scheme would be in accordance with the Council's refuse guidance.

Community Infrastructure Levy

The Council implemented its local Community Infrastructure Levy (CIL) on 1 April 2015, which is in addition to the Mayoral CIL that has been in place since 2012. This development would be subject to local CIL, if it was otherwise acceptable.

The Council's CIL web pages contains the Planning Obligation SPD as well as further information regarding the proposed CIL rates - including for different development types and geographical zones - and all the latest details of the implementation processes and timetables.

Deliverables

As part of a planning application, you would need to submit the following:

- Planning application form
- Site location plan
- Ownership Certificate & Notice
- Agricultural Holdings Certificate
- Design & Access Statement
- Existing plans / drawings (A1/A3 Sets)
- Proposed plans / drawings (A1/A3 Sets)
- Drawing schedule
- Application fee
- Community Infrastructure Levy (Part B)

The following supporting documents will also need to be submitted:

- Photographs and photomontages
- Planning statement
- Facing materials
- Archaeological statement

Details on these reports can be found on the Councils Website at:

<http://www.lewisham.gov.uk/myservices/planning/applications/Pages/Validation-requirements.aspx>

Conclusion

I trust this sets out the initial informal opinion of the Council on your proposals and relevant policy considerations that you will need to address.

The applicant would be required to set out the site specific conditions that indicate the site should no longer be retained in employment use, supported by the undertaking of extensive marketing procedures.

The proposed residential development upon this backland site is considered to be excessive in scale and height, and its siting would have potential to result in visual harm to neighbouring amenity.

In regard to highways matters, a future application would be required to provide additional information to demonstrate vehicles would be afforded sufficient space to manoeuvre within the site, whilst considering existing parking levels to neighbouring streets.

Should a scheme be formally submitted that does not address the matters raised in this letter, the scope for negotiation would be limited, and would likely be refused under delegated powers.

Please be aware that the content of this letter is sent without prejudice to the recommendation or final decision on any application submitted.

Yours sincerely



Michael Johnson
Area Manager - South Team
Development Management
Planning Service, London Borough of Lewisham
3rd Floor Laurence House
1 Catford Road
London SE6 4RU



Appeal Decision

Site visit made on 30 May 2018

by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th June 2018

Appeal Ref: APP/C5690/W/17/3189975
50 Ashgrove Road, Bromley BR1 4JW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Marco Williams of Northstar 2000 Ltd against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/17/100897, dated 28 March 2017, was refused by notice dated 3 August 2017.
 - The development proposed is the demolition of the existing office building and construction of 4 new dwellings with associated vehicle and cycle parking, recycling and refuse facilities.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: -
 - (i) the suitability of the access to the site;
 - (ii) the effect of the development on the supply of employment land; and
 - (iii) the effect of the development on the living conditions of the occupiers of 48 Ashgrove Road with particular regard to noise and disturbance.

Reasons

Access

3. The proposed development would be accessed along a driveway which would be in the region of 4.5 metres wide at its narrowest point, including a shared surface pedestrian walkway. The driveway would be in the region of 58 metres long.
4. The Transport Statement (TS) submitted with the application includes some tracking information (at appendix 5.2) which shows that a fire engine can enter the site and get within 45 metres of the proposed dwellings. However, it is significant that the TS does not include details of a fire engine turning within the site so that it could exit in a forward gear.
5. The Appellants appeal statement (at appendix 6) does provide a further tracking plan which appears to show a fire engine turning within the site. However, the size of the vehicle shown in the tracking plan is significantly smaller than the vehicle in the TS tracking plan being in the region of 5.4

- metres in length. In my experience the length of a fire engine is significantly longer than that shown in the tracking plan at Appendix 6 which puts significant doubt as to the accuracy of the submitted drawing.
6. Considering the above, from the evidence before me, the proposal does not demonstrate that a fire engine can safely turn within the site and as such I consider that the development does not provide a safe and suitable access for such an emergency vehicle.
 7. Turning to the width of the access, the development includes a shared surface **arrangement and an 'imprint paving' solution has been proposed to delineate** between what would be the normal pedestrian and vehicle areas.
 8. **From 'Manual for Streets', the minimum width for two cars to pass would be 4.1 metres, with the minimum width for a lorry and a car being 4.8 metres¹.** Whilst I consider that there would be sufficient space for two cars to pass, it is clear that there would be insufficient width for a car and a lorry to pass each other on the driveway.
 9. Notwithstanding that, given the likely low usage of the driveway by such vehicles, and having regard to the existing lawful situation, I consider that there would not be such a significant level of harm to warrant the withholding of planning permission on this ground. However, that does not outweigh the harm I have already identified in respect of fire emergency vehicles.
 10. The Council have referred to Core Strategy Policy 14 of the Lewisham Local Development Framework Core Strategy Development Plan Document (2011) (CS) which sets out objectives relating to sustainable movement and transport and DM Policy 29 of the Lewisham Local Development Framework Development Management Local Plan (2014) (LP) which is concerned with car parking. However, given the issue at hand I find that there is no conflict with either of these policies.
 11. For the above reasons the development would not provide a safe and suitable access for a fire emergency vehicle contrary to Policy 3.5 of the London Plan (2016); and DM Policy 30 and DM Policy 33 of the LP which amongst other matters seeks to ensure appropriate layout and access arrangements with a proper means of access and servicing. It is would also be at odds with the transportation aims of the National Planning Policy Framework.

Employment land

12. The appeal site is located on the north-west side of Ashgrove Road which is at the edge of a predominately residential area. To the south west of the site is an industrial estate (The Ashgrove Estate), whilst to the rear is a sports facility. The site is accessed via a driveway between two residential properties.
13. Core Strategy Policy 5 of the CS sets out that the Council will protect employment locations throughout the borough. However other uses, including residential, will be supported if it can be demonstrated that (amongst other matters) site specific conditions including site accessibility, building age, business viability and viability of redevelopment show that the site should no longer be retained in employment use.

¹ figure 7.1

14. DM Policy 11 of the LP also seeks to retain employment uses. Where uses are proposed which do not involve any job creation or retention evidence of a suitable period of active marketing for the site through a commercial agent that reflects the market value has been undertaken.
15. The Council have indicated that the building is in a poor structural condition and the Appellant has indicated that it would require significant expenditure to return the building to a wind and watertight condition. This is also set out in the Court Buckingham report on the general condition of the appeal property.
16. From the evidence before me the site has been marketed by a commercial agent since July 2015 with relatively little interest in the site. Reasons cited for the lack of interest include the general location, the constraints of the site access and the adjacent housing. However, to my mind, the condition of the building and the yard could well be another significant factor.
17. Notwithstanding that, the Council have not provided any evidence to suggest that the advertised value of the site does not reflect its current market value. In the absence of any such evidence I can only conclude that the marketed value is appropriate for the site. Taking that into account, and the length of time for which the site has been marketed, I conclude that the proposal would accord with the objectives of the above Development Plan policies.
18. In addition to the above, it is noted that the Council have indicated that a contribution of up to £210,000 should be secured via a section 106 agreement to offset the loss of employment units. The general principle of such a contribution is set out in DM Policy 11 which outlines that the Council will seek contributions to training and/or local employment schemes where there is loss of local employment as a result of redevelopment.
19. However, **following the Court of Appeal's judgement of 11 May 2016, wherein the Secretary of State successfully appealed against the judgment of the High Court of 31 July 2015, it follows that considerable weight should be given to the Secretary of State's Written Ministerial Statement (WMS) of 28 November 2014 and the updated Planning Practice Guidance which indicates that planning obligations of this type should not be sought from development of this limited scale.**
20. Notwithstanding that, the determination of planning applications should be made in accordance with the Development Plan unless material considerations indicate otherwise. The WMS is clearly a material planning consideration for which I attach great weight to as it represents the clearest and most up-to-date expressions of national planning policy.
21. In this case, limited evidence has been provided to me in respect of the need for such a contribution. Taking this into account, I consider that in this case, the WMS outweighs the requirements of DM Policy 11 in this respect.
22. For the above reasons the loss of the employment site has been sufficiently justified and therefore the proposal would accord with Core Strategy Policy 5 of the CS and DM Policy 11 of the LP which amongst other matters seek to retain employment land and uses unless the loss of employment sites are sufficiently justified.

Living conditions

23. The Councils concern relates to the location of the waste and storage area to the front of 48 Ashgrove Road. However, the area in question is shown as being the location of the bin collection point, which would normally only be used on a collection day. It is further noted that within the curtilage of each new dwelling there is also a bin storage point. With that in mind, I consider that the storage of refuse bins for a short period of time in the bin collection area would not be a significant source of noise or disturbance to the occupiers of No 48.
24. In coming to that view, I acknowledge that the distance between the bin collection point and the dwellings themselves would not be insignificant and this may discourage the occupiers of the four new dwellings from moving their bins. However, even if this was the case, I consider that there would not be a significant impact on the living conditions of the occupiers of No 48.
25. For the above reasons the development would not harm the living conditions of the occupiers of 48 Ashgrove Road and would accord with DM Policy 32 of the LP which amongst other matters seeks to ensure that all new residential development is neighbourly.

Conclusion

26. Taking all matters into consideration, I conclude that the appeal should be dismissed.

Chris Forrett

INSPECTOR

DC/17/100897

OBSERVATIONS

Property/Site Description

This is a backland site that lies to the rear of 48 Ashgrove Road, and is currently vacant with its former use being a scaffolders yard (B8) use and office (B1) use.

The entire site is covered by a permanent hard stand area and is occupied by a single storey office building which is setback 50m from Ashgrove Road. Access to the site is from Ashgrove Road via a 4.5m wide access road, 3m of which is tarmacked.

The site adjoins a two storey residential property to the north and the Ten-Em-Bee Sports Development Centre complex with associated playing fields to the west. The southern boundary abuts Ashgrove Road, Industrial Estate, which comprises a cluster of industrial warehouses of one to two storeys.

The local area is characterised by two storey terraced and semi-detached houses with the exception of the existing industrial site and sports centre with playing fields. The site is not located within a conservation area or has an Article 4 direction. The PTAL rating is 1b which signifies poor access to public transport.

Relevant Planning History

DC/05/58796 - 2005: Withdrawn Outline Application for the demolition of the existing building on the site of 50 Ashgrove Road, Bromley, Kent and the construction of 1, two bedroom and 4, three bedroom houses, the provision of parking for 9 cars, together with a bin collection point on amenity land to the side of 52 Ashgrove Road.

DC/08/070221 - The demolition of the building at 50 Ashgrove Road BR1 and the construction of 1, two bedroom and 6, three bedroom, two storey, plus roof space, houses with work space on the ground floors, together with associated landscaping and the provision of refuse stores and 10 car parking spaces. Refused 15/01/09 due to;

- considered over-development, unacceptable loss of garden to no.46 and encroachment
- conflict between vehicle manoeuvring and pedestrian route. Parking pressure on Ashgrove Road
- proposal overbearing and discordant.
- Units 6 and 7 by reason of their elevated position would result in overlooking and loss of privacy
- Insufficient evidence submitted supporting viability of live/work units.
- Size of garden spaces for units 1,2,3,6 and 7 does not meet 9m minimum depth requirement.

- Refuse trucks unable to enter site due to narrow access path therefore positioning of refuse storage and disposal would be unacceptable.

DC/14/87248 - Refused planning permission for the prior approval for the change of use of the scaffolding yard and ancillary offices to provide 2 x 1 bed flats (C3). The application was refused due to the highways and transport impacts of the development. An appeal was submitted however was subsequently dismissed due to the following issues

- The width of the access road and provision of refuge for pedestrians;
- The ability for emergency vehicles to access the site; and
- A suitable location for refuse collection.

DC/15/091775 - Prior Approval for change of use of 50 Ashgrove Road, London, BR1 to a use falling with C3 (dwelling houses) pursuant to Class O of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Refused 08/06/15 due to

- The application site includes a scaffolders yard (B8). This does not fall within use class B1(a). The application therefore does not comply with Class O of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.
- The transport and highways impact of the proposed change of use is considered unacceptable due to the conflict between the B8 use to the rear of the site and the proposed C3 residential. It is considered this conflict will significantly compromise safety for future potential occupiers of the C3 residential use. This is contrary to Class O Part 3 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

A pre-application enquiry was undertaken in November 2016 for 3, two-storey plus roof space terraced houses to the rear of the site and a two-storey plus roof space block comprising two residential units in the central area of the site. Advice was given which considered the proposal an over-development of the site.

Current Planning Application

The demolition of the buildings at 50 Ashgrove Road BR1 and the construction of 2 two bedroom maisonettes and 2 four bedroom houses, together with associated landscaping and the provision of refuse stores and cycle spaces.

Siting, massing and design

The proposed development would be sited behind 48 Ashgrove Road and would consist of a semi-detached pair of houses and a building containing 2 maisonettes. Both buildings would be two storeys in height.

The flats would have a rounded pitched green roof. The houses would have pitched green roofs incorporating a small butterfly roof to the rear. All roofs would include a sunken channel at the roofs apex to house photo voltaic panels.

Landscaping/ public realm works

- Trees and planting

All trees along the north-eastern and south-western boundaries would be retained.

Parking

The proposal seeks to introduce new parking bays between the proposed houses and flats, to accommodate 6 cars.

- Refuse

Each property would have bin storage in the rear garden. A bin collection point is proposed at the end of the access way adjacent to Ashgrove Road.

The proposed housing

The proposed development comprises 2 x 4 bedroom (8 person) single family dwelling houses and 2 x 2 bedroom (4 person) maisonettes. They each comprise a small private rear garden.

The proposed dwelling houses would have off street parking to the front for 2 cars and the maisonettes would have off street parking to the front for 1 car each.

Each unit would have dry and secure cycle storage in the form of sheds in the rear gardens.

Consultation

Eighteen neighbouring properties and the Councillors for Downham were consulted. The Council's Highways, Tree, Ecological Regeneration, Environmental Protection, policy and urban design officers were also consulted.

Two objections were received from 40 and 52 Ashgrove Road. The following points were raised:

- Added strain to on street parking in Ashgrove and Calmont Roads
- Existing drainage problems and road flooding after heavy rainfall.
- There is an existing right of way from no.48 to rear of existing land
- Access road is 3.2m wide and on street parking is available opposite and adjacent to the access way making turning in and out of the site difficult for larger vehicles.
- Historically, fire engine unable to gain access to site.
- Historically, there was a fire on site and the fire engine was unable to gain access due to the narrow access way.
- No turning point on site, forcing delivery vans/lorries to reverse back on to public highway.
- Residents of the 2 proposed houses would have to wheel waste bins 65m to the collection point.
- Who is responsible for returning bins to bin store. Bins left in collection area could block road.
- The applicant/former occupier of the site parked vehicles on site which contradicts the "no dedicated on street parking facilities' mentioned in application.
- Level of car ownership in area has increased, 2011 census data unreliable
- No provision to upgrade sewage system
- The site has remained in use for longer than the applicant stated
- Loss of viable commercial site
- Suggested levels of contamination due to breaking up of hard standing.

The Council's urban design officer, tree officer, ecological regeneration and environmental officers raised no objections. The Council's highways officer and policy team objects to the proposal, for reasons set out in this report.

Policy Context

Introduction

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

A local finance consideration means:

- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
- (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL)

Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

National Planning Policy Framework

The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14, a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary, this states in paragraph 211, that policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that '...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.

Officers have reviewed the Core Strategy for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211, and 215 of the NPPF.

Other National Guidance

The DCLG launched the National Planning Practice Guidance (NPPG) resource on the 6th March 2014. This replaced a number of planning practice guidance documents.

London Plan (March 2015)

On the 15th March 2015, the London Plan (consolidated with alterations since 2011) was adopted. The London Plan policies relevant to this application are:

Policy 3.1 Ensuring equal life chances for all
Policy 3.2 Improving health and addressing health inequalities
Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 3.9 Mixed and balanced communities
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 5.8 Innovative energy technologies
Policy 5.11 Green roofs and development site environs
Policy 6.9 Cycling
Policy 6.11 Smoothing traffic flow and tackling congestion
Policy 6.12 Road network capacity
Policy 6.13 Parking
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture

London Plan Supplementary Planning Guidance (SPG)

The London Plan SPG's relevant to this application are:

Housing (2016)

Sustainable Design and Construction (2006)

Core Strategy

The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Spatial Policy 3 District Hubs

Spatial Policy 5 Areas of Stability and Managed Change

Core Strategy Policy 1 Housing provision, mix and affordability

Core Strategy 5 Other employment locations

Core Strategy Policy 7 Climate change and adapting to the effects

Core Strategy Policy 8 Sustainable design and construction and energy efficiency

Core Strategy Policy 13 Addressing Lewisham waste management requirements

Core Strategy Policy 14 Sustainable movement and transport

Core Strategy Policy 15 High quality design for Lewisham

Development Management Local Plan

The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:

The following policies are considered to be relevant to this application:

DM Policy 1 Presumption in favour of sustainable development

DM Policy 11 Other employment locations

DM Policy 22 Sustainable design and construction

DM Policy 24 Biodiversity, living roofs and artificial playing pitches

DM Policy 25 Landscaping and trees

DM Policy 29 Car parking

DM Policy 30 Urban design and local character

DM Policy 32 Housing design, layout and space standards

DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas

DM Policy 35 Public realm

Residential Standards Supplementary Planning Document (2012)

Planning Considerations

The main issues to be considered in respect of this application are:

- Principle of Development/Loss of employment
- Design
- Public Realm
- Standard of Accommodation
- Highways and Traffic Issues
- Impact on Adjoining Properties

Principle of Development

The proposed development seeks the demolition of the building at 50 Ashgrove Road and the construction of a pair of semi-detached houses and two maisonettes.

Due to the location of the application site and its relationship with surrounding existing development, any redevelopment of the site would be considered to constitute backland development. Whilst DM Policy 33 accepts the principle of backland development where the proposal meets the criteria of the policy, the acceptability of the loss of the existing use must also be demonstrated and meet the criteria to satisfy DM Policy 11 and Core Strategy Policy 5. The acceptability of the principle of the proposed development is therefore heavily reliant on this justification.

Core Strategy 5 Other employment locations advises whilst the Council will protect the scattering of employment locations throughout the Borough. Criteria 3 of the policy states that other uses including retail, community and residential will be supported if it can be demonstrated that site specific conditions including site accessibility, restrictions from adjacent land uses, building age, business viability and viability of redevelopment show that the site should no longer be retained in employment use.

DM Policy 11 states the Council will seek to retain employment use where possible on the many smaller sites in office, industrial and warehouse/ storage use, and builders and scaffolding yards.

The policy goes on to say that in the case of any residential development, a scheme will be considered positively subject to an appropriate level of amenity and the suitability of the site for this use.

The Council will seek contributions to training and/ or local employment schemes where there is loss of local employment as a result of redevelopment or change of use. (In the case of complete loss of employment sites of whatever type, S106 contributions to local employment or training initiatives will be sought.)

The application submission includes a Marketing Report (March 2017) which refers to the yard as being disused for 2.5 years and the office building being vacant for the last 6 months. The report also states that the site has been unsuccessfully marketed for 27 months due to a lack of demand for this type of property in this area. The most frequent feedback quoted in the Marketing Report is that the site provided 'very poor quality access' and prospective occupiers did not want a 'yard type setting';

4.3.1 There are major problems in using the property for commercial employment uses due to its arrangement and location.

4.3.2 The building is located in a primarily residential location which is not attractive to many businesses.

4.3.3 The property is accessed by a long narrow driveway, which limits the level of exposure for businesses. In addition goods vehicles would not be able to access and leave the property without causing disruption to the residential dwellings either side of the driveway.

4.3.4 The property is not well served by public transport links which will make it difficult for a B1 office occupier's work force to access the property.

4.3.5 Appendix 8 is a report on the condition of the property which points out that it is generally in a very poor condition, and would require extensive expenditure.

Marketing has been undertaken via a full set of marketing details added to KALMARs' website, FindaProperty, Zoopla, and EGProperty Link. In addition, a board has been erected at the property.

The proposal has been discussed with Policy officers, who have opined that although the applicant has submitted a statement with the application stating that the site has been marketed for employment use without success; no proof has been provided within the statement that confirms the premises have been marketed for 27 months prior to the March 2017 report, ie December 2014. A Kalmar marketing sheet has been provided showing the premises dated 27 January 2016; a description of the site and relevant details but no indication of when this was made public; and reference to only two responses from viewers of the site from January and December 2016.

The applicant states that the office was still in use 6 months ago and the Planning Inspector said in December 2015 that there was evidence the yard was being used for storage of building materials. The current application does not conform to CS Policy 5 without the provision of further evidence from the applicant, which was requested but not received. Consequently, the site is protected for employment use under CS Policy 5 and the applicant has not satisfactorily demonstrated that the proposal meets the criteria of that policy regarding loss of employment use to residential.

In regard to the justification reasons raised in the Marketing statement, officers acknowledge the poor structural condition of the building, which has been confirmed by Building Control officers. The applicants advise it would require 'extensive expenditure' to return the building to a 'wind and watertight condition, and that this would ultimately not be viable', however costings of the required works have not been provided.

Officers do not agree with the point raised in para 4.3.2 regarding the predominant residential nature of the surrounding area, which has not deterred employment uses on the site since the 1960s.

The statement refers to the 'long narrow driveway' - which undermines the case for residential use to be addressed later in this report - however large vehicles have used the access for many years, with resultant impact upon neighbouring amenity.

The PTAL for the area is only 1, indicating poor provision of public transport. Bromley Hill to the east of the site is served by two bus routes, with the nearest bus stop within a short walking distance. The surrounding streets are not restricted in terms of on street parking, whilst the site itself can accommodate parking.

DM Policy 11 states that it would be appropriate for the developer to pay an agreed sum to mitigate the loss of employment on-site.

The financial contribution to be paid if the application was otherwise acceptable would need to be agreed with regards to The Planning Obligations SPD which stipulates floorspace / employee figure of 12m² per office employee and 70m² per B8 use employee. The lost floorspace is 188m² for B1a use and 446m² for B8 use.

The cost of a job has been calculated as the equivalent of the cost of supporting a trainee for one year, in order to provide an opportunity to secure long term employment, which is £10,000. Using this formula, a **B1a office** = 1 job per 12sq.m

(188 m²) office development divide by 12 = 15 jobs

Annual cost for a trainee = £10,000

Cost for 15 jobs = £150,000

B8 use = 1 job per 70sqm

(446sq.m) / 70 = 6 jobs

Annual cost for a trainee = £10,000

Cost for 6 jobs = £60k

However, as the applicant has stated that for the last four years the whole site was employing just 4 full time staff, officers have calculated the cost of 2 jobs for each use class at £20K, giving an overall total of £40K.

On this basis the contribution due would be £40k, however officers are minded to base the required sum upon the site potential for employment rather than the actual number of employees who were working there in recent years. If permission was recommended, a S106 agreement would have been entered into to secure the payment of up to £210k.

In light of the nature of the application, a S106 obligation is considered necessary to offset the loss of the employment units. The applicant would be required to cover the Council's legal costs in arranging the agreement and the Council's monitoring costs. Officers are satisfied the proposed obligations would have met the three legal tests as set out in the Community Infrastructure Levy Regulations (April 2010).

Design

Urban design is a key consideration in the planning process. The NPPF makes it clear that national government places great importance on the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Core Strategy Policy 15, DM Policy 33 and DM Policy 30 seek to ensure that development is high quality, sensitive to the local context and creates a positive relationship with the existing townscape.

The proposed houses and maisonettes would be two-storey and have a simple brick and solid void articulation. The buildings would include minor recesses and projections within their footprint and would have four variations of brick detailing on the walls. Ibstock burned smooth blue bricks to the ground floor, Ibstock amato blend to the first floor with Balmoral Red brick and London white glazed detailing. All doors and windows would be metal framed. The main entrances and circulation openings would have frameless wholly glazed openings. The roofs to the houses would be low pitched, green with PV recess areas. The roof of the maisonettes would have a gentle curve and include a central PV recess. The roof designs echo the industrial character of the adjacent industrial buildings.

Officers consider the architectural style of the properties and the proposed materials to compliment the character of the area while introducing a contemporary scheme.

In light of the above, the design of the proposal is considered to be acceptable.

Public realm

DM Policy 30 'Urban design and local character' requires applications to demonstrate that the proposed development would include the creation of a positive relationship to the existing townscape.

Officers raise no objections to the public realm works proposed.

Housing

a) Size and Tenure of Residential Accommodation

Core Strategy Policy 1 'Housing provision, mix and affordability' seeks to ensure that proposed housing development responds to local need. As a result, any new development with 10 or more dwellings will be expected to provide family housing.

As the proposal seeks to provide 4 residential units, the proposed development is not required by policy to include family housing, nor affordable provision.

The proposed private tenure and unit sizes are therefore considered to be acceptable.

b) Standard of Residential Accommodation

DM Policy 32 'Housing design, layout and space standards' and Policy 3.5 'Quality and design of housing developments' of the London Plan requires housing development to be of the highest quality internally, externally and in relation to their context.

With reference to the unit sizes, the proposed units would provide policy compliant overall floor areas and room sizes. The floor to ceiling heights also comply. The layout and arrangement of the units is also considered to be rational.

In addition to this, all of the proposed units would be dual aspect, giving rise to an adequate level of daylight and outlook for each unit.

With regards to privacy, as there are existing residential properties on the north-eastern and south-western boundaries, there are no proposed windows or doors in these elevations. There would be an element of overlooking between the proposed development and number 48 Ashgrove Road, however there would be a gap of 25.4m between the rear elevations of the nearest proposed building and number 48. This exceeds the minimum 21 metre distance required between facing habitable room windows.

The London Plan Housing SPG states that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sq m should be provided for each additional occupant. The proposal would provide amenity space in excess of these figures.

Highways and Traffic Issues

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives.

Core Strategy Policy 14 'Sustainable movement and transport' supports this policy approach and promotes more sustainable transport choices through walking, cycling and public transport.

a) Access and servicing

The previously refused schemes include reasons for refusal that relate to the nature of the access route to the site. Concerns were raised in relation to inadequate servicing of the development due to the 58m length and maximum width of 4.5m of the access road (including proposed adjacent 1m wide pedestrian route) and safety issues resulting from conflict between pedestrians and vehicles using the access.

Objections received from neighbouring residents also raise concerns in relation to the access of delivery and emergency vehicles, including fire engines and vehicle safety/visibility issues when maneuvering off and onto Ashgrove Road due to the amount of on street parking that exists directly adjacent and opposite the access way. In terms of servicing, a service vehicle, including fire engines, would not be able to access the site via the access road due to the narrowness of the route. The minimum width of a road to accommodate a fire engine needs to be 3.7m. The access way, being over 20m in length would also require a 16.8m turning circle as fire engines would not be expected to reverse along a route for more than 20m. When fire engines cannot directly access residential properties, the furthest corner of any part of the proposed dwelling must be within 45 metres of any emergency appliance parked at the entrance of the site. The application submission suggests that the proposal would not be capable of achieving this as the furthest corner of the proposed site is 88m from the entrance of the site.

This matter was identified in Paragraph 17 of the Inspector's statement to the OPRA refusal issued in 2014, which stated; 'The width of the access is also below that for emergency vehicles set out at paragraph 6.7.2 of the Manual. Although the proposed flats could be fitted with residential sprinkler systems, there would still remain the need for a fire engine to get to within 45m of the dwelling entrance (see paragraph 6.7.3 of the Manual). The entrance to Unit 1 is some 65m from Ashgrove Road.'

A swept path plan has been provided regarding access for a larger vehicle, however Highways have advised that:

- Swept path drawings are unacceptable – no legend, doesn't show full path of vehicle, only one parking space was mapped
- Emergency vehicle swept path is on an old drawing, I asked for a new one. In addition the vehicle appears to be smaller than a standard size engine.

According to occupiers at no.52, being the adjacent property, a previous on site fire necessitated fire fighters gaining access via no.52, climbing over the rear boundary fence into the Ashgrove Estate to tackle the fire as the site was inaccessible from the access way.

In relation to general delivery vehicles, it is likely that only small delivery vehicles will be able to enter the site due to its narrowness.

The submitted Transport Statement states that 4.5m is wide enough for two vehicles to pass each other slowly along the access route. The applicant also quotes Figure 7.1 of the Manual for Streets which demonstrates how two cars may pass on a carriageway that has a width of 4.1m. However, the applicant negates the inclusion of the proposed dedicated pedestrian walkway; which would have a width of 1m-1.1m (as stated in 3.1.3 of submitted Transport Statement), leaving only 3.4m-3.5m width of vehicle access which would not be wide enough to allow two cars to pass safely. Pavement widths are usually approximately 1.5m wide, in this instance the Council's Highways Officer considers a width of 1.3m acceptable. However, a 1.3m wide pavement would further reduce the vehicle access width to 3.2m. A passing car would have to encroach onto the

pedestrian walkway. Consequently, the proposed narrow width of the pavement and the possibility of vehicle/pedestrian conflict with no safe recess for pedestrians over a 58m long access route is considered unacceptable. Due to the width and length of the accessway, its use as a shared space would also be considered unacceptable.

b) Car parking

The application site has a PTAL rating of 1.

The proposed development would provide 2 parking spaces per house and 1 per maisonette. This is considered to be acceptable.

The provision of 6 spaces would not give rise to an unacceptable impact on parking conditions in the area.

The proposed development is therefore acceptable in this regard.

c) Refuse

Each property would be provided with refuse storage to the rear of the house/maisonette. The maisonette and house on the north-eastern boundary have side access to rear gardens. Bins would have to be wheeled through the garden to the front of the properties and then wheeled down to the front of the site, a total distance of 88m. It is noted that the refuse collectors will not collect the bins from within the site on collection day due to the distance they would be required to travel on foot. Officers have concerns that, due to the long distances refuse bins would have to be moved back and forth on collection days, there could be a propensity for future occupiers to leave the bins permanently at the collection point which could impact on safe pedestrian and vehicle movement along the access route. Submitted plans indicate the refuse collection point would lie within a dedicated area to the side of the access way which is proposed to be created within the front garden of no.48. The detailed design of the refuse storage area, nor the number of bins required have been detailed, however, it is the officers view that the proximity of the bin storage location to the front of no.48 is likely to cause noise and disturbance though the activity of placing waste within the containers and the movement of bins in and out of the storage area. The bin storage is considered to be unsuitable in design and amenity terms.

d) Cycle parking

Policy 6.9 'Cycling' of the London Plan states that developments should provide secure, integrated, convenient and accessible cycle parking facilities in line with the minimum standards set out in Table 6.3. Table 6.3 outlines that all new dwellings that have 2 or more bedrooms must provide 2 cycle parking spaces each. The proposed houses and maisonettes would include externally located cycle storage in the rear gardens. Officers are satisfied that these would be dry, accessible and secure. If the proposal is otherwise acceptable, officers would seek further clarification that the proposed storage is capable of accommodating two bikes via a condition.

Impact on Adjoining Properties

Core Strategy Policy 15 'High quality design for Lewisham' seeks to ensure that proposed development is sensitive to the local context. Officers therefore expect proposed developments to be designed in a way that will not give rise to significant impacts upon the amenities of existing neighbours and future occupiers. Development Management Policy 33 'Development of infill

sites, backland sites, back gardens and amenity areas' therefore seeks to ensure that infill development would result in no significant overshadowing or overlooking, and no loss of security or amenity.

The proposed buildings would have an eaves height of 6m and a maximum roof height of 6.8m, being of a similar height to the warehouse on the southern boundary but lower than the properties fronting Ashgrove Road. The minimum 21 metre distance required between facing habitable room windows would be exceeded in relation to no.48 which is sited directly in front of the site. The northern boundary abuts the side of the rear garden of no.46. The proposed buildings have been set back 1.4m from this boundary and the side elevations of the proposed buildings which would front this boundary, would not incorporate windows. There are also a number of mature trees on the boundary (within the curtilage of no.46). In light of this, officers are satisfied that the proposal would not give rise to an unacceptable visual impact to residents of adjacent properties.

As there would be no windows on the side elevations of the proposed buildings the proposal is not considered to give rise to privacy issues.

Also, due to the scale of the proposal and the separation distance between the proposed buildings and properties in Ashgrove Road, it is not felt that the proposal would give rise to a harmful daylight and sunlight impact upon the existing development.

In light of the above, the proposed development is considered acceptable with regards to neighbouring amenity.

Land contamination

The application submission involves the breaking up of existing hard standing and the likely presence of asbestos within the building. There could be potential risk from contamination, consequently, a desktop study would be required by condition if the application was otherwise acceptable.

Local Finance Considerations

Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:

- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
 - (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).
- (i) The weight to be attached to a local finance consideration remains a matter for the decision maker.
 - (ii) The Mayor of London's CIL is therefore a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

Community Infrastructure Levy

On 1st of April 2015 the Council introduced its Local CIL to be implemented along with the existing Mayoral CIL. The charge will replace a number of financial contributions currently required through Section 106 Agreements.

If an acceptable scheme, the development would be subject to CIL.

Conclusion

Whilst the principle of residential development, the scale and appearance of the dwellings, standard of accommodation, and visual impact upon neighbouring amenity are considered acceptable in this case, officers consider the existing accessway to the proposed development is of insufficient width to provide appropriate space for two vehicles to pass safely without creating the potential for conflict between vehicles and pedestrians. In the event of a fire, a fire engine would not be able to reach the development which would be further than 45m from the highway, due to the inadequate width of the access. Such concern was raised in a previous OPRA application, and was also identified by the Planning Inspector at appeal.

In terms of marketing, there is no evidence this was undertaken over a period of 27 months, or conclusive proof that this site is no longer viable for employment purposes. During an officer site inspection in May 2017, equipment was still being stored in the yard area and a parked van was seen, whilst access to the office to ascertain whether it was operational was not possible, therefore as it appears the site remained in some form of use until recently, this casts further doubt upon the justification for change of use, so the principle of a residential scheme cannot be established at this stage.

For these reasons, it is therefore recommended permission is refused.

RECOMMENDATION: REFUSE PLANNING PERMISSION, for the following reasons:

Pattern imprinted synthetic asphalt

- Traffic calming, features & enhancements
- 15mm thick synthetic asphalt overlay
- Full depth colour
- Imprint a variety of patterns
- Performs as well as HRA

Imprint gives a block paved effect on roads without the associated problems usually experienced by block paving in trafficked environments.

When considering traffic calming surfacing, Imprint has a lot of features that make it highly desirable for trafficked environments. A 15mm thick synthetic asphalt overlay, it can be "imprinted" with a pattern designed to give a block paving type finish, but with the performance characteristics of a good quality HRA.

The synthetic nature of Imprint allows a surface of many different colours to be chosen, all with the high performance this material has become associated with.

So, whether choosing a table top or hump where traffic is expected over the surface or a build out or cushion where traffic is expected to avoid the surface, Imprint is the ideal solution.



Where Imprint can be used

Ideal for:

- Traffic Calming Tables
- Humps
- Build-outs
- Raised Junctions
- Entry Treatments
- Village Gateways
- Visual Delineation

How Imprint helps to calm traffic

Imprint is a visual delineator. It highlights to the driver that an area of roadway requires special consideration, whether as an area to be driven on carefully, or an area to be avoided.

The nature of a coloured surface with a pattern is believed to highlight to the driver that the surface may well be shared. This effect is not achieved with colour alone. This immediately raises driver awareness.

In its earliest conception, Imprint was used extensively for creating vertical traffic calming measures. The product was then used in the creation of a number of homezones, notably in Plymouth and Manchester. More recently, Imprint has gained popularity for use as buildouts, roundabout aprons and speed cushions where the driver is not expected to drive on the surface. All of these can be achieved with the blend of colours and patterns available.

Benefits of an Imprint surface:

- Visibly delineates from the rest of the road through colour and pattern
- Clearly identifies to the driver a potential shared use space
- Highlights pedestrian priorities may be different
- Low maintenance, no individual bricks or blocks to work loose under traffic
- Quick application, around 70 sq.m per day
- Applied straight on top of the existing blacktop surface
- Highly cost effective
- Can be laid to only 15mm thickness

David Stengel

Subject: FW: Fire Authority Approval - Springbank Road

From: Parv Channa [<mailto:p.channa@bbsbuildingcontrol.co.uk>]
Sent: 25 July 2018 16:59
To: Diana Chamberlain-Clark <diana@northstar-2000.com>
Cc: Marco Williams <marco@northstar-2000.com>
Subject: RE: Fire Authority Approval - Springbank Road

Hi Diana

Thank for this, if sprinkler system was fitted BS 9251:2014 to the dwelling houses, I believe this would be acceptable as it complies with BS991 and I am sure the Fire Brigade would accept.

- The distance between the fire appliances and any point within the house (in house having no floor more than 4.5m above ground level and having a sprinkler system throughout) may be up to 90m;

Kind Regards,

Parv Channa BSc(Hons) MSc MCIQB C.Build E MCABE
Building Control Surveyor

Mob - 07432701907

ore you print, think about the environment